

Pearson and Mr. Robert S. Allen, an article to which I wish to call attention. I understand from Mr. Allen personally that he did not know anything about the article. By inference an injustice has been done to my name, and only for that reason do I rise to reply.

The article reads:

An important factor holding up the President's extensive plan for the reconstruction of Puerto Rico is an insignificant provision tucked away in the Jones-Costigan Sugar Act. It prohibits any new sugar refineries on that island, and it was slipped into the bill at the last moment by PAT HARRISON at the behest of the powerful sugar lobby.

Mr. President, ordinarily I never reply to anything that appears in the papers, but this is so mendacious, it is so willful, it is so misleading and untruthful, it is such a damnable lie, may I say, that I cannot pass it by unnoticed.

These columns written by Mr. Pearson and Mr. Allen, which appear in many papers of the country, and have for some time, have constantly carried criticisms aimed at me due to the fact that a gentleman from my State, a former Member of Congress, a man of the highest character, Judge T. Webber Wilson, was appointed judge in the Virgin Islands. He has made a very splendid record there; but throughout his service he has been the target of the Department of the Interior, from the Secretary of the Interior down, even though Judge Wilson is serving under the Department of Justice, and it so happens that the controversy is one in which Mr. Drew Pearson, one of these columnists, is interested.

It is Mr. Pearson's father who is now, and has been throughout this Democratic administration, Governor of the Virgin Islands. I do not know Mr. Pearson, the Governor of the Virgin Islands, personally, and I am not the partisan I used to be; but I am still that kind of a partisan who believes that when the Republicans are in control of the Government the Governor of the Virgin Islands should be a Republican Governor, or one who has Republican leanings. I believe, too, that when the Democratic Party is in control of the Government, that office ought to pass into Democratic hands. I have so expressed myself to the Secretary of the Interior as well as to the President. Those sentiments are not appreciated by the Secretary of the Interior, Governor Pearson, or his son Drew.

The Senator from Maryland [Mr. TYDINGS] has offered a resolution for an investigation into the situation in the Virgin Islands. I merely wish to have the country know that these audacious, misleading, incorrect statements carried in the Merry-go-Round, written by Mr. Drew Pearson, are written because of a motive, a desire to try to stand in with "Honest Harold", as the Secretary of the Interior has been nicknamed, and do injustice to everyone who may not be in accord with their plans.

In conclusion, permit me to say that the record will disclose—and those Senators who were interested and in touch with the movements and considerations of the Jones-Costigan legislation know—that I offered no such amendment, and was instrumental in no such scheme as suggested in the article.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. THOMAS of Utah, from the Committee on Foreign Relations, reported favorably Executive E (69th Cong., 2d sess.), a convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, signed on behalf of the United States at Brussels on June 23, 1925, with an understanding, and submitted a report thereon (Ex. Rept. No. 2, 74th Cong., 1st sess.).

Mr. BURKE, from the Committee on the Judiciary, reported favorably the nomination of Walter Bragg Smith, of Alabama, to be United States marshal, middle district of Alabama, to succeed Douglas Smith, removed.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar. If there be no further reports of committees, the calendar is in order.

INTER-AMERICAN ARBITRATION

The Chief Clerk proceeded to read Executive F (73d Cong., 2d sess.), a general treaty of inter-American arbitration, signed at Washington on January 5, 1929.

Mr. ROBINSON. Mr. President, I ask that the treaty go over.

The VICE PRESIDENT. Without objection, the treaty will be passed over.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. ROBINSON. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

RECESS

Mr. ROBINSON. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate, in legislative session, took a recess until tomorrow, Friday, March 29, 1935, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 28 (legislative day of Mar. 13), 1935

POSTMASTERS

SOUTH DAKOTA

Florence Ferguson, Canton.

Clarence J. Curtin, Emery.

Harry H. Jarl, New Effington.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 28, 1935

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, Thou who dost weigh the mountains in scales and the hills in a balance, put Thy wise, merciful, and sovereign hand upon us. To live without Thee is to lay the ax at the root of the tree of strength and the blessedness of humanity. We praise Thee for the Christ of God, who laid the foundation of immortal life, and will never forsake the work of His hands. In these appealing days of His earthly journey, may we walk with Him. Cleanse us from all unrighteousness; make clean our hearts within us, and the raiment of our daily lives above reproach. We beseech Thee to set us free from the errors of prejudice, passion, and the perversions which mar the integrity of our souls. Almighty God, Thou hast made of one blood all nations; Thou art the Father in heaven and earth. This was proclaimed ages ago and committed to the winds on the shore lines of Galilee. So dwell with us that we may honor all men—the humblest, the feeblest, the most obscure. And, blessed Lord, keep this truth in all hearts: "The path of the just is as a shining light." And Thine shall be the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON MILITARY AFFAIRS

Mr. ROGERS of New Hampshire. Mr. Speaker, by direction of the Committee on Military Affairs, I ask unanimous consent that the committee may continue its meeting today while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

CONGRESSIONAL MEDAL OF HONOR TO GENERAL GREELY

Mr. ROGERS of New Hampshire. Mr. Speaker, the gentleman from South Carolina [Mr. McSWAIN], Chairman of the Committee on Military Affairs, is absent today on account of important business, and on his behalf, Mr. Speaker, I ask unanimous consent that he may have permission to extend his remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. McSWAIN. Mr. Speaker, on yesterday at 6 o'clock at his residence, 3131 O Street NW., there was presented to Maj. Gen. Adolphus Washington Greely, United States Army, retired, the medal of honor which was recently voted by both Houses of Congress to be presented to this distinguished citizen and soldier by the President of the United States.

Due to the absence of the President from the city, and at his request, this token of the esteem in which the Congress and the country hold this veteran of many campaigns, this pioneer among polar explorers, and this bold adventurer in the field of science, was presented by the Honorable George H. Dern, Secretary of War. Simple but appropriate military ceremonies accompanied this presentation. Distinguished soldiers, sailors, and citizens were present. Among them was Admiral Richmond P. Hobson, himself a distinguished citizen and leader of public thought. Present also were the Honorable JOSEPH T. ROBINSON, United States Senator from the State of Arkansas, who introduced a bill in the Senate of the United States to confer this honor upon General Greely. I make acknowledgment to Senator ROBINSON of his fairness and courtesy in saying to me at the time he introduced his bill that he expected that the bill which I had introduced in the House of Representatives, if the House would pass it in due season, would be passed upon his motion by the Senate. I sincerely thank Senator ROBINSON for such kindly deference and such generous courtesy.

Mr. Speaker, I must confess that the introduction by myself of a bill to honor General Greely at this late date was not an original thought with me. In fact, I took it for granted that General Greely had thus been honored by the Congress and the President long ago. I think all will agree with me that I was reasonable in this assumption, because if there ever was a soldier who deserves well of his country, who is entitled to the gratitude of this Republic, it certainly is General Greely. I gladly acknowledge that the suggestion was made to me by Brig. Gen. William Mitchell, United States Army, retired; and upon his suggestion I promptly acted, and I am proud that the committees of both the House of Representatives and the Senate, and that both Houses themselves, have approved this bill, and that the President signed it so promptly and gladly. I believe it would have made the President happy to have himself presented this simple token of the appreciation of his countrymen to General Greely. I am sure that the President would have rejoiced had he beheld the joy and gratitude of General Greely and of his immediate family.

Mr. Speaker, Gen. William Mitchell has prepared a brief statement of some of the services of General Greely and I am extending my remarks by permission of the House by asking that this statement by General Mitchell may be printed in the CONGRESSIONAL RECORD.

STATEMENT BY BRIG. GEN. WILLIAM MITCHELL ON THE OCCASION OF THE PRESENTATION OF THE CONGRESSIONAL MEDAL OF HONOR TO MAJ. GEN. ADOLPHUS WASHINGTON GREELY ON HIS NINETY-FIRST BIRTHDAY, MARCH 27, 1935

Maj. Gen. Adolphus Washington Greely, retired, has just been decorated with the Congressional Medal of Honor, the greatest token of appreciation in the gift of the United States Government. General Greely, in the ninety-first year of his life, has indeed deserved well of his country.

He was born in 1844, at which time our country contained only 20,000,000 people. We had really not extended west of the Mississippi. Commodore Perry had not yet gone to Japan. It was 2 years before our War with Mexico.

When the war between the States broke out in 1861, Greely, although under age, enlisted when he was 17. He first saw enemy fire at Balls Bluff, near Leesburg, Va. When the Army of the Potomac was organized, the Nineteenth Massachusetts, to which he belonged, became a part of it and he participated in the Peninsular campaign and in the seven days' battles, where he distinguished

himself and was wounded. At Antietam he discovered a flank attack against his regiment and called attention to it, fearlessly exposing himself to enemy fire. He thus saved not only his regiment but his whole brigade from a serious disaster. He was badly wounded and left on the field. A Confederate soldier attempted to capture him but he escaped and made his way under the trajectory of the fire of Rickett's battery up a ravine to the Union lines. As soon as he recovered from his wounds he rejoined his organization.

At the battle of Fredericksburg a pontoon bridge being laid opposite the town was destroyed by Confederate fire, and it was decided to force a crossing in individual boats. Greely was in the first one. He was in command of the patrol that went up the main street of Fredericksburg, the forlorn hope that held on until relieved by other troops. In this battle, out of 300 men in his regiment, 108 were killed or wounded. Greely himself was wounded but kept with his company, B, of the Nineteenth Massachusetts, which had been first in the city and the last to get out. For this he was promoted from corporal to sergeant.

Later on he became a captain and served during reconstruction days in New Orleans, where there was a terrible yellow-fever epidemic. After the war he was assigned duty in the West and served against the Indians. In 1867 he was detailed to the Signal Corps, and on account of his technical knowledge was given the task of building the first telegraph line through to the Pacific coast, which was completed to San Diego, Calif. After this he built telegraph lines to Oregon through a trackless waste and a country infested by hostile Indians.

When the United States became a party to an international agreement for the establishment of circumpolar stations for meteorological observations and discoveries, General Greely was given command of the United States detachment which established the farthest north colony that ever existed. It was in Grinnell Land, in latitude 81°44'. There they established a new record of the farthest north attained up to that time, at latitude 83°24' N. This was accomplished by Lieutenant Lockwood, who gave up his life in the north, and Sergeant Brainard, now Brig. Gen. David L. Brainard, retired, who is present here today, and who, next to General Greely himself, was the hero of the Arctic expedition. The previous record had been held for over 300 years by Great Britain. Greely himself discovered vast territories never before seen by civilized man.

For 2 years, unsupplied by any relief expeditions from the United States, Greely held out at his station. At length, in accordance with his orders, he led his expedition in small boats through the treacherous waters of the northern seas, overcoming seemingly insurmountable obstacles of cold, storm, ice, and fatigue, until they reached Cape Sabine, 200 miles farther south. Here they made camp to await the promised relief expedition of that year, which never came, as the ship was lost. Abandoned, destitute, starving, they held out under Greely's indomitable leadership, with excellent discipline, cohesion, and performance of duty to the last. Out of the original 25, only 7 were found alive, and they had only a few more hours of life left in them when rescued in the nick of time by Captain Schley and Lieutenant Emory, of the Navy, in 1884. The foresight, wisdom, acumen, ability, and devotion to duty which Greely showed in the handling of his men has never been excelled, and the story of this expedition, its accomplishments, and its record of human endeavor and steadfastness in the face of privation and disaster, stands alone in human annals and forms an everlasting monument to American manhood.

After this expedition and an interval during which he visited Europe and perfected his knowledge of meteorology and electricity, Greely was put in charge of the United States Signal Corps, which he built up to a standard of preeminence in the world. He was the first to have recording instruments constructed, and really established the electrical field communication in our Army down to regiments. At the beginning of the Spanish War, as he was charged with the collection and dissemination of military information, he made arrangements with foreign cables, so that he found where the Spanish Admiral Cervera's fleet was 10 days before the Navy had any knowledge of it. He reported to President McKinley that the Spanish fleet was in Santiago Harbor and advised him to attack Santiago, destroy the garrison and fleet, and thus bring the war to an end quickly. Against the advice of others, President McKinley adopted Greely's plan, which led to a quick termination of the War with Spain.

General Greely persuaded Professor Langley, of the Smithsonian Institution, to build the first man-carrying airplane, and obtained the appropriation from Congress for it. His letter asking for it, in the light of what has happened since, was prophetic.

General Greely's intuitive strategical sense showed him what an important place Alaska was to the United States in its relations and dealings with Asia, and in the first years of the twentieth century he pushed the completion of telegraph and cable lines through that whole Territory, carrying the work to a successful conclusion against difficulties formerly thought insurmountable.

In 1903 Greely proposed and organized the first international radio conference, when many were thinking that radiotelegraphy was a joke.

Greely was made a major general of the line of the Army, and was stationed in San Francisco at the time of the earthquake. When the quake actually occurred he was temporarily absent on duty, but quickly returned and through his knowledge of the handling of civil populations contributed in a marked degree to the relief of the people and the rehabilitation of that great city.

His last service was in command of the last campaign we had against the Indians, the Ute campaign of 1907. So ably was it

handled that not one person was killed, and no property was destroyed.

This great man, our greatest living American, in my opinion, is 91 years old today, March 27. During his life he has either participated in or known men who were prominent in all the great undertakings of this country, from the Revolutionary War to the present day. He has actually known and talked with soldiers of the Revolutionary War. His life, patriotism, accomplishments, and Americanism must and always shall be an example to the youth of the United States, while his friendship, fellowship, guidance, and unalterable devotion to duty has always been an inspiration to those who served with him, and will be an example to those who serve in the armed forces of our great Republic in the future.

GENERAL PULASKI MEMORIAL DAY

Mr. TERRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a resolution of Group No. 178 of the Polish National Alliance, of North Little Rock, Ark., memorializing Congress to create the General Pulaski's Memorial Day.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TERRY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following resolution of the Polish National Alliance of North Little Rock, Ark., memorializing Congress to create the General Pulaski Memorial Day:

A resolution memorializing Congress of the United States to enact House Joint Resolution 81 and Senate Joint Resolution 11, directing President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of West Virginia, Illinois, Michigan, Tennessee, Indiana, Wisconsin, New York, Nebraska, Texas, Minnesota, Delaware, Maryland, Arkansas, New Hampshire, Pennsylvania, Missouri, Ohio, and other States of the Union, through legislative enactment, designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War: Therefore be it

Resolved by the Group No. 178 of the Polish National Alliance of the United States of North America, That the Group No. 178 of the Polish National Alliance of the United States of North America, with local headquarters at no. 2005 Main Street, of city of North Little Rock, and State of Arkansas, respectfully memorialize the United States Congress to enact legislation which will provide for the effective carrying out of the provisions of the said resolution, whereby the President of the United States of America would be authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on October 11 of each year and inviting the people of the United States to observe the day in schools and churches or other suitable places with appropriate ceremonies in commemoration of the death of Gen. Casimir Pulaski.

Sec. 2. The secretary of the Group No. 178 of the Polish National Alliance of the United States of North America is hereby directed to transmit a copy of this resolution to the Chairman of the House of Representatives Judiciary Committee, Washington, D. C.; to the Chairman of the United States Senate Library Committee, and to each of the United States Senators and Representatives in Congress from the State of Arkansas.

GROUP NO. 178 OF THE POLISH NATIONAL ALLIANCE
OF THE UNITED STATES OF NORTH AMERICA,

By A. S. WALLOCH, President.

S. J. KACZKA, Secretary.

ALBENA BREWCZYNSKI, Treasurer.

FORWARD WITH ROOSEVELT—YOUTH OF THE NATION WITH THE NEW DEAL

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein some four or five single columns of statistics as submitted by the Commissioner of Education.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, it is most gratifying to those of us who have been really working to pull our Nation out of the slime it fell into in 1929 to know that the youth of the Nation is with us.

Of course, even the high-school boys know that we are where we are as a Nation because the administrations between

1920 and 1932 put us where we are. Because of bad management or lack of management those administrations plunged us into this terrible abyss—this financial chaos.

Milton said that when the Lord kicked the Devil out of heaven, he fell "nine times the space that measures day and night." The youth of the land begins to think that their chances for making good in life fell about the same distance during the administrations from 1929 to 1932, when certain uncontrolled interests took hold of the social and economic trends and plunged us where we found ourselves in 1932.

It is refreshing to us as Members of Congress to have the assurance that the young men and women of the Nation know that this administration has done more toward building a worth-while structure for them to inherit than has been done by any administration since the Civil War. We can fool the old people most of the time, but we cannot fool the young people for a very long space of time.

New York University senior class took their annual poll last week on certain fundamental issues. Some of the questions voted on and the results are as follows:

Who is the greatest living American? By a vote of 2-1—Roosevelt.

Who is the outstanding figure of the world? By a vote of 2-1—Roosevelt.

Who is the most outstanding world citizen? By a vote of 2-1—Roosevelt.

Would you vote for his reelection? By a vote of 2-1 they would vote for Roosevelt's reelection.

(They admitted that in 1932 not half of them had voted for Roosevelt, showing his increase in popularity.)

This type of senior speaks for the masses, in that the seniors of this school earn 35 percent of their tuition by part-time employment.

Do you favor the retention of the N. R. A.? By a vote of 3-1—yes.

Do you favor the retention of the A. A. A.? By a vote of 3-1—yes.

Do you favor the retention of the C. C. C.? By a vote of 10-1—yes.

Do you favor the child-labor amendment? By a vote of 15-1—yes.

Do you favor unemployment insurance? By a vote of 8-1—yes.

Do you favor old-age pension? By a vote of 8-1—yes.

Do you favor conscription of capital and labor in time of war? By a vote of 30-1—yes.

These statements and votes on the part of the youth coming right after Mr. Hoover's plea asking the youth of the Nation to stand by him and the standpatters is most significant.

Former President Hoover, according to the newspaper report, said in his recent speech:

It is well that the young men and women of the Republican Party should meet and give attention to this drift from national moorings.

Well, these college seniors, some 400 of them, met and gave attention to the drift of the moorings Mr. Hoover referred to and the above was the result of their deliberations. Not very gratifying to those interests now doing their best to keep the youth of the future from enjoying the heritage they have a right to expect to enjoy. The New York Times as of March 23 said, in quoting Mr. Hoover's speech:

The Government has been centralized under an enormous bureaucracy in Washington.

The youth of the Nation do not look upon it as being a centralized bureaucracy. They look upon this movement as one in their favor—taking the Government out of the hands of big banking interests and big holding interests and putting it back in the hands of the people—bringing the capital from Wall Street to Washington. George Washington intended that the capital should be in Washington and not in Wall Street and Chicago. This administration is demonstrating that the Government is in Washington.

Mr. Speaker, speaking of seniors recalls to my mind the data I received from the Bureau of Education this morning. The Commissioner of Education gave me these figures.

I am interested in these figures because I am convinced that we must continue to build our social and economic structure so that these millions of high-school and college

graduates will have an opportunity to step into some position or job and earn an honest livelihood.

I learned as a high-school principal that youth expects the busy world to give them an opportunity when youth graduates to be privileged to turn their hand to some purposeful and constructive occupation.

Speaking of young men reminds me of employment. I just called Dr. Studebaker, Commissioner of Education, this morning, and he gave me the following figures:

(1) Number of high-school graduates, private-school graduates, and college graduates in 1932.....	972, 872
(2) Number of high-school graduates, private-school graduates, and college graduates in 1933.....	1, 017, 310
(3) Number of high-school graduates, private-school graduates, and college graduates in 1934.....	1, 150, 250
(4) Number of high-school graduates, private-school graduates, and college graduates in 1935 (estimated).....	1, 200, 000

Whose fault is it that these young men will not have an opportunity to go to work when they graduate? Surely it is not the fault of the Democratic Party or the Democratic administration. The institutions and agencies that gave employment to this class of people, some of these boys and girls, went on the rocks in 1929. By 1932 the institutions were battered to splinters, and we had the largest number of high-school and college graduates walking the streets and highways that year of any year in the history of our Nation.

The fact is that figures and reports in the various departments show that 40 percent more of this class received employment during the last year than the year 1931-32. The set-up of this administration is most commendable in that it provides to take care of all classes of unemployment.

COSTIGAN-WAGNER ANTILYNCHING BILL

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a concurrent resolution of the Legislature of Kansas.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GUYER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following concurrent resolution of the Legislature of the State of Kansas:

House Concurrent Resolution 10

A resolution memorializing Congress to pass the Costigan-Wagner antilynching bill

Whereas in many States of this United States there occur lynchings and riots by mobs, resulting in the execution of persons without due process of law; and

Whereas in many of the said States the local officers cannot or will not enforce the laws protecting persons from mobs or punishing those involved in such unlawful action: Now, therefore, be it

Resolved by the house of representatives (the senate concurring therein)—

SECTION 1. That the Congress of the United States is hereby requested to enact into law the measure commonly known as the "Costigan-Wagner antilynching bill."

SEC. 2. That copies of this resolution be sent to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Kansas Member of Congress.

I hereby certify that the above concurrent resolution originated in the house, and was adopted by that body February 14, 1935.

S. C. BLOSS,

Speaker of the House.

W. BISHOP,

Chief Clerk of the House.

Adopted by the senate March 7, 1935.

DALLAS W. KNAPT,

President pro tempore of the Senate.

Secretary of the Senate.

PERMISSION TO ADDRESS THE HOUSE

Mr. MORITZ. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today at the conclusion of the consideration of the District of Columbia bills.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TRUAX. Mr. Speaker, I raise the point of no quorum.

The SPEAKER. Evidently there is not a quorum present. Mr. TAYLOR of Colorado. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 40]

Adair	Driscoll	Johnson, W. Va.	Polk
Allen	Driver	Kennedy, Md.	Reed, N. Y.
Andrews, N. Y.	Dunn, Miss.	Kennedy, N. Y.	Richardson
Arends	Farley	Kleberg	Robison, Ky.
Bankhead	Ferguson	Kvale	Sabath
Biermann	Flannagan	Lamneck	Schaefer
Bolton, Ohio	Gambrill	Lee, Okla.	Seger
Brennan	Gifford	Lehlbach	Shannon
Brewster	Goldsborough	Lesinski	Short
Cannon, Wis.	Granfield	Lewis, Md.	Smith, W. Va.
Chapman	Gray, Ind.	McKeough	Snell
Claiborne	Greenway	McMillan	Stewart
Clark, Idaho.	Greenwood	McSwain	Sumners, Tex.
Cooley	Hamlin	Mead	Thompson
Crosby	Hartley	Meeks	Tinkham
Crowther	Healey	Monaghan	Underwood
Culkin	Hess	Montague	Warren
Dempsey	Higgins, Conn.	O'Malley	
DeRouen	Hoepfel	Palmsano	
Dies	Holmes	Peyser	

The SPEAKER. Three hundred and fifty-seven Members have answered to their names. A quorum is present.

On motion of Mr. CULLEN, further proceedings under the call were dispensed with.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication, which was read by the Clerk:

MARCH 27, 1935.

HON. JOSEPH W. BYRNS,

Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby resign as a member of the Select Committee to Investigate Real Estate Bondholders' Organizations.

Respectfully yours,

JOHN J. O'CONNOR.

The resignation was accepted, and the Speaker appointed Mr. KENNEDY of New York to fill the vacancy.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, on yesterday I missed a roll call due to absence on important official business before the Department of Justice. I desire to make that statement at this time.

COMMITTEE ON AGRICULTURE

Mr. DOXEY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be permitted to sit the remainder of the week during the sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

OWNERS AND OPERATORS OF MOTOR VEHICLES IN THE DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 408) to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violations of this act, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that debate on this bill be limited to 1 hour, one-half to be controlled by the gentleman from Illinois [Mr. DIRKSEN] and one-half by myself.

Mr. PATMAN. Mr. Speaker, reserving the right to object, I am in favor of the bill S. 408. I desire to have some understanding about the time, if the gentlewoman from New Jersey will tell me what she has in mind in regard to the disposition of the time.

Mrs. NORTON. I think I may use about 10 minutes of the time, and then I shall be very pleased to yield 15 minutes to the gentleman from Texas. I have been asked for 5 minutes by the gentleman from Oklahoma [Mr. NICHOLS],

and I shall be pleased to yield the balance of my time to the gentleman from Texas.

Mr. PATMAN. I wonder if the gentlewoman would agree that in the event there is an amendment suggested to the bill, to either strike taxicabs from this particular legislation or to include compulsory insurance for taxicabs, I may be allowed to have 10 minutes on each amendment in opposition to them, instead of having time in general debate?

Mrs. NORTON. That is perfectly agreeable.

The SPEAKER. The Chair may state to the gentleman from Texas that that is a matter that will be in control of the Committee when the bill is considered in the Committee of the Whole House on the state of the Union.

Mr. PATMAN. Yes; then I have no objection.

Mr. BLANTON. Mr. Speaker, will the gentlewoman from New Jersey yield for a question?

Mrs. NORTON. Gladly.

Mr. BLANTON. Is not this bill identical with one that we passed at the last session?

Mrs. NORTON. It is exactly the same.

Mr. BLANTON. And there was practically no objection to it at that time?

Mrs. NORTON. None that I knew of.

Mr. BLANTON. Is there any reason why we could not take this bill up in the House as in Committee of the Whole House on the state of the Union, so as to avoid the hour of general debate, and get through with it? Amendments can then be offered and debated under the 5-minute rule.

Mrs. NORTON. I would be very pleased to take it up in that way.

Mr. BLANTON. I think if the gentlewoman from New Jersey would change her request and ask that the bill be considered in the House as in Committee of the Whole House on the state of the Union there would be no objection to such a request, I feel sure.

Mr. PATMAN. I would not object.

Mrs. NORTON. Then, Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. PATMAN. Mr. Speaker, reserving the right to object, and I shall not object, I presume the gentlewoman from New Jersey will let me have the time in opposition to the amendment I have just mentioned, in the event the amendments are presented.

Mrs. NORTON. Yes.

Mr. BLANTON. The gentleman can secure such time in his own right.

Mr. MARTIN of Massachusetts. Reserving the right to object, will the rule providing 1 hour of debate prevail in the House?

The SPEAKER. If the request is granted, the bill will be considered under the 5-minute rule.

Is there objection to the request of the gentlewoman from New Jersey that the bill be considered in the House as in Committee of the Whole House on the state of the Union?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That this act shall in no respect be considered as a repeal of any of the provisions of the traffic acts for the District of Columbia but shall be construed as supplemental thereto.

Mr. NICHOLS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, being a member of the District of Columbia Committee, it has been embarrassing for me to oppose this legislation, but feeling that I am eminently right in my position I shall continue to do so.

In the first place, I want to point out to the Members of the House that this legislation proposes to put taxicabs and private automobiles in the same category as they apply to indemnity insurance. In other words, this bill says that after anyone has an accident, unless he can show financial responsibility, his license will be taken away from him to operate an automobile in the future. This might be a good law as it applies to privately operated automobiles, but it certainly is

not a good law where it applies to taxicabs, particularly when we have a taxicab situation such as we have in the District of Columbia. You can take your largest cab company here, the Diamond Cab Co., and they do not own a single automobile. They do not control a single automobile. The boys who drive those Diamond cabs simply pay that company money for the privilege of using the Diamond name.

Mrs. NORTON. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mrs. NORTON. Does this bill in any way prevent the introduction and the passage of a compulsory-insurance bill?

Mr. NICHOLS. It does not; but I will say to the gentlewoman and my good friend that if you pass this bill, then you will always have this bill as a bumper when you attempt to pass a compulsory-insurance bill, and they will say that you have this bill and this is all you need. If compulsory insurance is desirable, then why not make it compulsory insurance now when the matter is before this body?

Mrs. NORTON. Is it not a fact that in 21 States of the Union we have this identical bill and in a few of the States we also have a compulsory-insurance law, showing that one does not interfere in any way with the other?

Mr. NICHOLS. I may say to the gentlewoman that I know of no State having a condition such as exists in Washington that has a bill applying just exactly the same to private automobiles as it does to taxicabs.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. NICHOLS. In just a moment. I want to tell you what is going to happen to this bill.

You may take, for instance, your big cab companies here; they go out and have an accident and kill or cripple somebody, and you would naturally think that under this bill unless that driver or that company took out indemnity insurance they could not operate any more. This is not the case. All that will happen will be that the driver who had the accident will be immediately discharged from the company, because the responsibility goes to the individual and not to the company. Then there will be a new man put in his place, just as irresponsible as the other, and he will go glibly on his way killing and hurting and maiming people without any responsibility whatever.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. RICH. Is it not possible for us to make the taxicab company just as much responsible as the driver?

Mr. NICHOLS. It is, yes; but not under this bill.

Mr. RICH. Why not amend the bill in order to do that?

Mr. NICHOLS. This bill absolutely is not susceptible to intelligent amendment.

Mr. CARPENTER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. CARPENTER. While I am in favor of the bill under consideration, yet I agree with the gentleman in what he has stated to the effect that if we pass this bill it will be used as a buffer against a taxicab-liability bill. This is exactly what happened a year ago. We had up both bills and we passed this bill, and as soon as it was passed, they said we did not need the other measure.

Mr. NICHOLS. Now, I do not think there is anyone here who thinks that a taxicab or automobile operated for hire should not protect its passengers. If that is true, then why should we pass legislation here which will permit the operator of a taxicab to kill somebody before we require him to take out insurance and then say that is all he has to do to escape the whole thing, and the party injured has no one to look to for damages?

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. NICHOLS. Mr. Speaker, I ask for 3 minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. NICHOLS. Now, there is not much legislation that comes to the District of Columbia Committee that affects your and my constituents. But I want to say to you ladies and gentlemen of the House that here is a bill that will

affect every constituent of yours. When they come to the Capital of the United States on their own business, or the business of somebody else, I say to you it is your duty to pass legislation here which will safeguard them when they accept the only mode of travel provided for them—that is taxicabs—I say that we will be derelict in our duty unless we give them the protection of compulsory insurance.

One argument against it is that it will cost a driver so much that he cannot afford it, and thus the independent driver, and a driver of small means, cannot afford to take out the insurance.

I want to answer that in two ways. It will not cost any more before they have had an accident than it will after they have had an accident.

The second proposition is that if you take insurance—and if there is an insurance man in this House he will bear me out—if you take out insurance for a group, where you have many drivers of taxicabs, you can get insurance rates so low that they can afford to carry it.

Then the insurance rates will be cheaper, because where you have group insurance they will place a claim adjuster in the taxicab office and he will be on the ground ready to dash out and make a low settlement with the victim of the accident immediately after the accident occurs. So that where they have group insurance they can afford to reduce the rates.

Mrs. NORTON. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentlewoman.

Mrs. NORTON. Does the gentleman know what this insurance will cost?

Mr. NICHOLS. No; I do not. Nor does anybody else know, because there has been no plan devised; and there cannot be one devised until the insurance companies know how many policies would be available.

Mr. FITZPATRICK. They might increase the rate so as to get more money.

Mr. NICHOLS. They are not getting enough money, anyway.

Mr. PATMAN. Mr. Speaker, I rise in opposition to the pro forma amendment and ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, the object of this particular bill is to reduce the number of accidents in the District of Columbia. It was decided by the subcommittee of the District Committee considering the legislation that the following classes and groups are largely responsible for the accidents in the District of Columbia: Those who are convicted of driving automobiles while under the influence of intoxicating liquor or drugs; second, the habitual offender who usually leaves the scene of the accident without giving his name and without being identified by any officer; third, those who do not care, who are irresponsible if judgments are obtained against them, who do not pay the judgment, and who continue to go ahead and continue to operate their automobiles.

The president of the Board of Commissioners of the District of Columbia, Mr. Hazen, said:

It is generally agreed among traffic authorities that the vast majority of accidents are caused by a very small proportion of the drivers.

In other words, there are very few people causing all of these accidents, and the committee decided there is no use of placing a penalty on all of the people in order to eliminate a few people who are causing all of the trouble. I wish each Member would send and obtain a copy of the committee's report on this bill, Financial Responsibility of Motor Vehicle Operators in the District of Columbia, and read the letter of the president of the Board of Commissioners, Mr. Hazen, to the Chairman of the District Committee.

Under this bill no one will be required to take out automobile-liability insurance until one of the following conditions

occurs: Conviction of operating an automobile when under the influence of liquor or drugs; if convicted of that offense the driver will have to take out liability insurance; or, if the driver has been guilty of leaving the scene of an accident without identifying himself, he will then have to take out liability insurance; if a judgment has been obtained against an offending driver, and that judgment is unsatisfied at the end of 30 days, that driver cannot any longer operate an automobile in the District of Columbia.

Mr. Speaker, that is aimed at the offender, it is not aimed at the good, careful driver, who never has an accident. It will not penalize him, but it will penalize the one who is the cause of most of the accidents. Contrary to the general belief, it is not the taxicab driver who is causing the accidents in the District of Columbia, it is the irresponsible driver of the private car, and investigation discloses that there are fewer accidents among the taxicab operators in proportion of the number than among any other group. There is a splendid reason for that. One who is operating a taxicab is engaged in that line of work as a business, a pursuit, an occupation. That is his whole business, and if he were to lose his license, he would lose his entire business. Therefore, he is very careful not to violate the law, not to be wrong in an accident, but to always carefully operate that vehicle, so that he can stay in the only business that he has.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Yes.

Mr. RICH. If a man drives a car while intoxicated, the Commissioners will see to it that his license is taken away from him?

Mr. PATMAN. Absolutely, if he is convicted. He cannot be allowed to operate an automobile any more if he is convicted.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Yes.

Mr. FITZPATRICK. Does the gentleman know the number of convictions for driving while intoxicated?

Mr. PATMAN. No.

Mrs. NORTON. If the gentleman will permit, of the total number of deaths—135—in 1934 in the District of Columbia, exactly 16 were caused by taxicab drivers.

Mr. PATMAN. And were the drivers of those taxicabs all to blame?

Mrs. NORTON. No; they were not to blame in several cases.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Yes.

Mr. NICHOLS. Take the case of a man who is run over by the driver of an automobile who is driving while drunk. The drunken driver may injure some pedestrian or some occupant of his automobile. Let us say that the driver of that taxicab has no financial responsibility. What is the redress of the man who is injured? How does this man protect the man who is hurt?

Mr. PATMAN. The gentleman from Oklahoma is talking about a taxicab driver not carrying insurance.

Mr. NICHOLS. Or anyone else.

Mr. PATMAN. But what the gentleman wants is to have the taxicab compelled to carry insurance.

Mr. NICHOLS. Yes.

Mr. PATMAN. That is the point of the question that I shall address my answer to.

Mr. NICHOLS. One further question. In the gentleman's judgment, does he not feel that this bill could be greatly improved and brought to this floor in much better shape than it is in now?

Mr. PATMAN. There is a bill pending for financial-responsibility insurance for taxicabs before the District Committee. I happen to be chairman of the subcommittee that that bill is referred to. We expect to have hearings on that bill very soon.

Mr. NICHOLS. The gentleman is the chairman of this subcommittee, is he not?

Mr. PATMAN. Yes; and for the gentleman's information let me say that we had extensive hearings last year, and it would be interesting for him to know what was disclosed by the hearings last year. The Diamond Taxicab Co. for 1 year I have in mind paid its claims.

Mr. NICHOLS. It did not in the Callas case.

Mr. PATMAN. And that 1 year the Diamond Taxicab Co. was out \$7,500 on claims. If compulsory insurance had been passed, it would have been out \$75,000 for insurance. If you put compulsory insurance on the taxicabs of the District of Columbia, you will not help the drivers, but you will help the insurance companies. It will cost the people of this District, the investigation shows, a million and a half dollars extra, because it will mean doubling and trebling the taxicab rates in the District of Columbia—not for the benefit of the drivers or the owners of automobiles but for the benefit of insurance companies and lawyers handling litigation. It encourages all kinds of claims.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. FITZPATRICK. Does not the gentleman think that a passenger riding in a taxicab ought to be protected in case of an accident so that somebody would be responsible?

Mr. PATMAN. Yes; I do. For a dollar or two a year the gentleman can get insurance that will protect him against any injury he may suffer in a taxicab.

Mr. FITZPATRICK. I had friends visiting here 2 years ago who got into a taxicab and it was run into and they were injured, one of them seriously, and they could not collect a dollar. I say every taxicab and every vehicle in this District should carry insurance.

Mr. PATMAN. The point is that this bill does not involve that question. Let us pass this bill. We know it is a step in the right direction.

Mr. FITZPATRICK. It means nothing. It is like locking up the stable after the horse is stolen. If there is an accident, then they will compel them to take out insurance.

Mr. PATMAN. It does mean something. It will not penalize the good, careful driver, but it will cause the man who is responsible for accidents to take out insurance. Most of the accidents are caused by a few people.

Mr. FITZPATRICK. How about the party injured? Will they benefit by this bill?

Mr. PATMAN. It will prevent accidents. It will have a tendency to prevent accidents. If the gentleman is interested in taxicab liability, let him come before our subcommittee and we will give him a hearing, and if we are wrong about it we will admit we are wrong, and we will bring a bill before this House and let the House adopt the bill requiring taxicab-liability insurance. I know I often have the wrong opinion about things before I get all the information. Perhaps I have a wrong opinion about this. Perhaps the gentleman is right. If so, he may come before our committee and convince us he is right.

Mr. FITZPATRICK. I appreciate that under the rates in this city they cannot very well carry insurance.

Mr. PATMAN. If you have taxicab-liability insurance, that does not mean that you are going to get your money if you are insured. That means that you are looking to an insurance company instead of the taxicab company. Good insurance companies will not carry this class of risk. It is the fly-by-night, overnight insurance companies who insure such companies. Our hearings disclosed that people have had just as much difficulty and even more in getting money out of insurance companies than in getting it from taxicab companies.

Mr. FITZPATRICK. That is not true in the city of New York. Reliable insurance companies there carry the insurance, and there is no reason why they should not carry it here.

Mr. PATMAN. I am not talking about New York. I presume the gentleman is correct.

Mr. Sisson. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. Sisson. Do I understand from the gentleman's statement that the District Committee does not propose to report out a bill that will make indemnity insurance mandatory, to furnish protection to people who are riding in these common carriers?

The SPEAKER pro tempore (Mr. Woodrum). The time of the gentleman from Texas [Mr. Patman] has expired.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. My opinion is that the District Committee is in favor of it. Personally, I am not in favor of it. Last year we had a hearing, and after the hearing there was a bill brought in, and on a roll-call vote, after both sides had been explained to the membership of this House, 130 Members voted for it and 188 Members voted against it. That goes to show that there is another side to this taxicab-liability proposition, when 188 Members voted against it.

Mr. Sisson. Now, the gentleman made a statement that compulsory insurance of taxicabs would not mean protection to passengers. The gentleman must know that it furnishes protection in case the injury is caused through negligence, and it is practically an insurance, because the taxicab ought to be made a common carrier under the law if it is not such now. Every passenger who rides in one of those taxicabs is entitled to protection.

Mr. PATMAN. They will have protection to the extent of the ability of the insurance company to pay.

Mr. Sisson. The best that can be said about this bill is that it is innocuous; it is harmless; it does not do anything. It is like the law that gives a dog the privilege to take one bite out of you before the owner is responsible at all, until that one bite is proven. The driver of a cab can kill somebody and then he cannot get another permit. That is all.

Mr. PATMAN. Why place a penalty on everybody in the District in order to deter just a few who are responsible for the accidents in the District? That is the question involved.

Mr. KELLER. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. KELLER. Is it not a fact that if these negligent and drunken drivers are eliminated, you thereby add the very greatest to safety?

Mr. PATMAN. Absolutely. Twenty-one States have demonstrated that. We are asking you to adopt the same law that 21 States have tried and have said is satisfactory.

Mr. McFarlane. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. McFarlane. I recently read an article showing how the city of Evanston, Ill., which is the first city in the United States in low death rates, have handled this traffic problem. They have the best traffic law enforcement of all the cities of the United States. Their safety council have given this question much study and fairness and honest law enforcement have gotten splendid results for them. All other cities should follow that. They have cut down the death rates from 30 or 40 per hundred thousand to less than 9 per hundred thousand. It would be very interesting for the membership to look into that and see how they have gone into this matter of law enforcement.

Mr. PATMAN. Using a law like this?

Mr. McFarlane. Using a law similar to this, yes. They have gotten splendid results by making a very careful study of the whole traffic problem and of honest law enforcement in carrying their laws into effect.

Mr. NICHOLS. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. NICHOLS. But with reference to these 21 other States who have a similar law to this.

Now, the gentleman will say, though, that a State law does not govern the law of big cities within the State, which is a condition similar to that existing in Washington.

Mr. PATMAN. They involve cities as well as country districts.

Mr. NICHOLS. I do not think the gentleman wants to say that the State law controls city traffic.

Mr. PATMAN. The law operates over the entire State.

Mr. NICHOLS. They do not operate taxicabs in the country.

Mr. PATMAN. There is nothing in this law that makes it different in a city from what it is in the country, or vice versa. What we are asking you to do is not to attach any compulsory liability amendment on this law. We are going to have a hearing on that question, and we are going to have a full and complete hearing. We will be able to present printed hearings to the Members of the House; and then if you feel that the law should be passed, we will pass it; but do not bring up some amendment which has not been given sufficient consideration and attempt to attach it to this legislation, which we know is good law.

This bill has passed the House and the Senate for the last 2 or 3 years. When it would pass the Senate, the House would not pass it; and when it would pass the House, the Senate would not pass it; but the Senate has already passed it this time, so let the House go ahead and adopt it, and let it become a law, and you will save the lives of many people in the District of Columbia within the next few months. If you want to double and treble taxicab rates in the District of Columbia without giving additional benefits to the people, just put on one of these premature amendments that have not been carefully considered requiring taxicab liability insurance, and you will cause it. I ask you to vote down all these amendments.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas be given 1 additional minute, that I may ask him a question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. DIRKSEN. Is it not true that in the District of Columbia appropriation bill there was included a legislative provision that the taxicab rates in this city shall not be raised?

Mr. PATMAN. I am not informed on that, I will state to the gentleman from Illinois.

Mr. DIRKSEN. I think that is the case if the gentleman remembers the discussion had on the bill.

Mr. PATMAN. Anyway, it would have to be changed if you require insurance. You cannot make them pay a dollar a day extra just for insurance and not raise their rates; you cannot do that to save your life. A good insurance company is not going to take this risk.

[Here the gavel fell.]

Mr. BEITER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas may have 1 additional minute that I may ask him a question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BEITER. The gentleman made the statement—if I am in error I stand corrected—that in the event that compulsory insurance were placed on taxicabs that insurance companies would not accept this type of liability. Is not this all the more reason we should make the effort to force them to take out insurance?

Mr. PATMAN. No. If only irresponsible insurance companies will take this class of insurance I would just as soon look to a irresponsible taxicab company as to an irresponsible insurance company.

Mr. BEITER. There are a number of responsible insurance companies who would take it.

Mr. PATMAN. They will not take this risk, according to our information, I will say to the gentleman.

[Here the gavel fell.]

Mr. HULL. Mr. Speaker, I move to strike out the last two words.

Primarily, Mr. Speaker, I was opposed to the consideration of this bill by the House until it had been returned to the committee that it might receive further consideration. After the bill was reported out I learned that certain people in Washington who wanted to be heard on this measure had, by mistake, not been able to appear before the subcommittee presided over by the gentleman from Texas, because the hearing was not held in the regular hearing room.

Mr. PATMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. HULL. I yield.

Mr. PATMAN. I will state that those people wanted to be heard on a different bill, a taxicab liability bill that had not even been introduced in the House. Since that time such a bill has been introduced and these people can get a hearing on it any time they want it. As the chairman of the subcommittee I promise the gentleman that I will give him a hearing commencing tomorrow morning if he desires it.

Mr. HULL. I am not interested in that proposition, but the fact remains that the gentleman moved the subcommittee hearing out of the main room, that these people appeared to be heard and were not heard. I felt that just as a matter of fairness to the interested people of the District they certainly ought to have the right to be heard by the subcommittee handling this measure. Some of the members of the committee did not pay much attention to it, did not realize what was going on until it was out of committee and it was too late. This is the reason I tried to get the bill back to the committee that we might consider it.

In the first place, I do not think any member of this committee wants to oppose any measure which will even promise to reduce accidents in the District of Columbia. We are all of a common mind on that; but so far as preventing accidents is concerned, we might just as well enact Noah Webster's dictionary into law as to pass a measure of this kind, because it will mean nothing in the protection of the public so far as the first accident is concerned.

I am not going to take much time, but I just want to call your attention to one feature which I think shows the utter absurdity of passing this kind of a legal gesture to cure a wrong which is so apparent that something ought to be done. This measure, if passed, will stand in the way of that kind of a law. As one illustration among others of how this law will operate. If a young man gets drunk and then, as a young man did a few weeks ago, who drove home from a country saloon, at 3 o'clock in the morning, runs through a safety zone and kills a poor woman, while this bill apparently would stop such a man from driving a car, as a matter of fact it stops him only momentarily. After a year or two the husband of the woman he killed might possibly get a judgment against him after long delays in the courts; nevertheless, he will continue to drive that car; he can get drunk just as often as he wants to, he may do anything else that is dangerous to the lives of the people of the highways with just one provision, and that is if he will go to some insurance company and take out a \$35 insurance policy to insure his car against future accident, and that is all the protection the public has under this bill against a man who goes down the Avenue and commits this kind of a crime.

Mr. KELLER. Will the gentleman yield?

Mr. HULL. I yield to the gentleman from Illinois.

Mr. KELLER. If a similar law has worked in 21 States, would it not naturally follow that it would work very well here?

Mr. HULL. It would not naturally follow that it has worked well anywhere according to the statistics which have been produced here, which show that accidents have con-

tinued to increase in all the States that have this law, practically speaking.

Mr. KELLER. Will the gentleman tell me whether those accidents have continued to increase on the part of taxi drivers or men who were not taxi drivers?

Mr. HULL. I do not care to go into the taxi matter further than to say that apparently there is no protection to people riding in taxicabs in the District of Columbia, and if this bill is passed and put on the statute books it is going to hinder all endeavors to enact that kind of a law and put it on the statute books.

Mr. KELLER. Would the gentleman not put a premium on good drivers and compel the elimination of bad drivers?

Mr. HULL. Certainly. This bill would not do that.

Mr. KELLER. Why should it not? If a man gets drunk, runs away, or does the other things, he cannot drive unless he is insured.

Mr. HULL. That is true; but that does not make any difference, because he can take out a little policy and continue to get drunk, and this bill would not take his permit from him if he has the policy.

Mr. KELLER. No. No one would insure him.

[Here the gavel fell.]

Mrs. NORTON. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, there has been a great deal of misinformation regarding the bill that is before the House today. I may say it is a question that has been debated ever since I have been in Congress, and up to the present time we have no law in the District of Columbia with regard to automobile liability.

We feel that this bill is a very good bill and that it is a step in the right direction. We are not interested in insurance companies, but we are interested in making the streets of the city of Washington a safer place for the people of Washington. Much has been said here about our constituents who visit Washington. There is no person who is more interested in the welfare of constituents than I am. At the same time I think the people in Washington have a prior claim on what law shall be passed in this House with regard to the safety of their streets, and certainly a greater claim than visitors who come here. I am thinking of the people of the District. I am thinking of the importance of placing a law on the statute books to help in some way to prevent the horrible accidents which have been going on for the past several years.

Mr. Speaker, I may say it is our important duty to pass this bill today. I was advised against coming here today. I have been very ill for the last 2 weeks, but I want to say that I have been so much interested in getting this bill passed, and have felt so great a responsibility as chairman of the committee that even at the expense of my own health I decided to come here today and do what little I could to bring the Members of the House to a realization of their duty regarding the District and the people of the District of Columbia. [Applause.]

We Members who are on the District Committee have a very disagreeable and a very arduous duty. We are legislating on behalf of people who have no vote, and who have not a single thing to do with their own government. The only thing that your chairman is trying to do, and the only thing I feel the majority of the members on the District of Columbia Committee is trying to do, is to legislate justly, fairly, and honestly for the people of the District of Columbia. That is our only wish and we have no recompense except knowing that we have tried to do a duty as it should be done.

Mr. Speaker, for the benefit of the RECORD, I am going to give a few items concerning this bill about which so much misinformation has been handed around.

During the year 1933, 3,946, and in 1934, 4,192 persons were killed and injured in traffic accidents in Washington. Four hundred and sixty-eight men from the city of Washington were wounded in action in the World War. Eight

times more than that number were wounded in traffic accidents here in 1933 and 1934 and by less than 10 percent of the drivers. We might well ask why this situation exists. I think the answer is obvious.

At present we have approximately 150,000 motor vehicles operating in Washington, operated by some 200,000 drivers. There is no provision in the law that requires these 200,000 drivers to protect the public other than the traffic regulations. As to the provision being made for financial responsibility of those operating motor vehicles, there is none. Therefore, this situation exists—anyone driving a motor vehicle knows that if he becomes involved in an accident through negligence on his part, which results in bodily injury or property damage, he can continue to operate a motor vehicle in the same negligent manner in the future, although no compensation has been made.

Senate bill 408, which passed the Senate January 10, 1935, provides for an alleviation of this condition. It is true that a great number advocate compulsory insurance as the logical means of providing financial responsibility. At least compulsory insurance for motor vehicles for hire. If Senate bill 408 becomes a law it will in no way prevent the passage of a compulsory law for motor vehicles for hire. In fact, such a bill has been introduced and referred to a committee.

The bill we are considering is not a compulsory insurance bill. The bill is intended primarily to promote safety by controlling or driving off the streets the minority of reckless and financially irresponsible motorists, while it also provides a strong incentive for the payment of damages. Compulsory insurance is wholly directed toward the payment of damages and does not penalize recklessness in the interest of safety. Compulsory insurance treats the reckless and careful alike and imposes on all motorists an unfair burden which is wholly caused by the reckless drivers. This bill segregates the careless and imposes its penalties on this class alone. Thus the fundamental difference is the same as that always existing between absolute compulsion and sane regulation.

[Here the gavel fell.]

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. NORTON. Briefly, Senate bill 408 provides that the operator's permit and the registration certificate shall be suspended, upon conviction, or forfeiture of bond or collateral, for leaving the scene of an accident in which personal injury occurs, without making identity known, or upon conviction, or forfeiture of bond or collateral for driving while under the influence of liquor or narcotic drugs. Such suspension will continue until satisfactory proof of ability to compensate for future damages they may cause in motor-vehicle accidents. Also suspension of operator's permit and registration certificate of all persons against whom a final judgment has been legally rendered and who have failed to satisfy such judgment. This suspension is to remain in effect not only until such judgment has been satisfied but also until proof of ability to compensate for future damages has been established. Such proof may be furnished in any one of three ways:

First. An insurance policy.

Second. A bond of a surety company or of two individual sureties owning unencumbered real estate.

Third. A deposit of \$11,000 in cash with the clerk of the Supreme Court of the District of Columbia.

This bill contains the same provisions, though in different language, as the Uniform Safety Responsibility Act approved by the Fourth National Conference on Streets and Highways in May 1934. Twenty-one States in the United States and six provinces in Canada have adopted similar legislation. Those States are as follows: California, Connecticut, Delaware, Maryland, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, South Dakota, Vermont,

Virginia, and Wisconsin. Canadian Provinces are Manitoba, New Brunswick, Ontario, Prince Edward Island, British Columbia, and Nova Scotia.

Not a single State, once having adopted this legislation, has taken a backward step in regard to the same, but, on the contrary, succeeding sessions of the legislature has strengthened its provisions.

[Here the gavel fell.]

Mr. MILLARD. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey may proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. NORTON. Mr. Speaker, let me read a letter addressed to the Governors of the 48 States by President Roosevelt:

My DEAR GOVERNOR: I am gravely concerned with the increasing number of deaths and injuries occurring in automobile accidents. Preliminary figures indicate that the total of these losses during the year 1934 greatly exceeded that of any previous year. We should, as a people, be able to solve this problem which so vitally affects the lives and happiness of our citizens.

In order to assist in this, the Federal Government, through the Secretary of Commerce, has taken the leadership in developing remedial measures. Proposals for uniform State legislation have been worked out by the National Conference on Street and Highway Safety, with the cooperation of responsible State officials and representatives of interested organizations from all parts of the country.

The remedies that need to be applied are thus available in form which appears to meet the unanimous approval of experienced judgment. The pressing problem is to secure universal application of these remedies which have proved effective where applied.

The responsibility for action rests with the States. There is need for legislation and for the organization of proper agencies of administration and enforcement. There is need also for leadership in education of the public in the safe use of the motor vehicle, which has become an indispensable agency of transportation.

With the legislatures of most of the States meeting during 1935, concerted effort for appropriate action in the States is most important.

Realizing the seriousness of the situation and the urgent need for attention to the problem, I am confident that you will desire to participate in this effort.

Yours very truly,

FRANKLIN D. ROOSEVELT.

There is a general increase in traffic fatalities throughout the country, but the States having financial-responsibility laws are reporting increases which are much smaller than the increases for the country as a whole.

The increase in the fatalities in the group of 21 States having financial-responsibility laws were 11 percent, but the increase for the country as a whole was 15 percent, while the increase for the group of States which have no financial-responsibility laws was 23 percent, or more than twice the increase in the States that have such laws.

In the Seventy-third Congress a bill—H. R. 1646—exactly the same in principle as Senate 408 passed the House on May 28, 1934.

In conclusion I would like to point out the advantages of this legislation:

First. It will provide an incentive for careful and safe driving and control or eliminate the reckless and irresponsible operator.

Second. It will compel those who have demonstrated their recklessness to establish evidence of financial responsibility for the future as a prerequisite to their retaining the privilege of driving.

Third. It will furnish an incentive for payment of otherwise uncollectible judgments arising from motor-vehicle accidents.

Mr. Speaker, in conclusion I want to say that if I thought there was a better law that could be passed at this time I would be only too glad to lend my aid toward the passage of such a law. I believe this is the best law we can pass at this time. If we find that the law is inadequate or if for any reason we wish to amend the law later, or if we find the accidents in Washington have not decreased as a result of the passage of this measure, may I say that I shall at the next session of Congress do all in my power to amend the law?

I do not believe there is anyone in this country who feels more acutely a sense of responsibility regarding this particular legislation than I do, or one who would do more to avert accidents if it is humanly possible to do so.

During the past year there were few people who have suffered more than I have from automobile accidents. Two of my family were killed as a result of careless driving. So I say to you it is not only a legislative matter, it is also a personal matter to do my small part in bringing about greater security for the people on our highways and on our city streets. I sincerely hope this House, in its wisdom today, will pass this bill. [Applause.]

Mr. FITZPATRICK. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. I yield.

Mr. FITZPATRICK. Is it not a fact that New York also has compulsory insurance of vehicles for hire?

Mrs. NORTON. New York has this law and also a compulsory insurance law.

Mr. FITZPATRICK. Of course, I am not opposed to the gentlewoman's bill.

Mrs. NORTON. I know that, of course. The gentleman could not be opposed to it. He is too fair and too just to be opposed to such a measure, and I want to say to you gentlemen that we now have a compulsory bill in committee and if it is the desire of the House to force a compulsory bill on the District I shall not oppose it. I shall be only too pleased to go along with the Members of the House if they desire to have a compulsory law.

Mr. CARPENTER. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. Gladly.

Mr. CARPENTER. In the opinion of the gentlewoman from New Jersey, does Senate bill 408 have any relation to a compulsory taxicab liability insurance bill?

Mrs. NORTON. This is not a compulsory taxicab liability insurance bill. It is exactly what it states—a financial-responsibility bill—which is much more important, I think, than a compulsory bill, because after all, we all know that a compulsory bill is going to benefit the insurance companies, but is not going to benefit the people in Washington.

Mr. CARPENTER. I understand from what the gentlewoman has stated that there has been a taxicab liability bill introduced and it is now before our committee?

Mrs. NORTON. Exactly.

[Here the gavel fell.]

Mr. CARPENTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey may proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CARPENTER. If that bill should be reported out by the committee, does the gentlewoman believe it would be a sound argument against such a bill to refer to the fact that the pending bill has been passed?

Mrs. NORTON. Of course, it is very difficult to answer that question. It would depend entirely upon the point of view of the Membership of the House.

Mr. CARPENTER. When that time comes, some Member may get up and say that we do not need a taxicab liability insurance law because we have passed Senate 408.

Mrs. NORTON. Exactly as some Members may say today we do not need this law.

Mr. CARPENTER. That kind of argument would not meet the gentlewoman's approval?

Mrs. NORTON. I prefer to give my opinion on that when the matter comes before the House.

Mr. CARPENTER. I think a lot of Members would like to know about that point.

Mrs. NORTON. I will say that I shall do nothing whatever to prevent that bill coming before the House. I believe that my colleagues in the House have just as much sense as I have, and each and every one of them is entitled to his or

her opinion, and I would much prefer to let them exercise their own judgment.

Mr. CARPENTER. But the gentlewoman does not think that is covered by this bill?

Mrs. NORTON. I think everything that is necessary is covered in this bill. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Sec. 2. The motor-vehicle operator's permit and all of the registration certificates of any person who shall by a final order or judgment have been convicted of or shall have forfeited any bond or collateral given for a violation of any of the following provisions of law, to wit—

Driving while under the influence of intoxicating liquor or narcotic drugs, as provided in section 10 of the act of Congress approved March 3, 1925, as amended, and commonly known as the "traffic acts";

Leaving the scene of an automobile accident in which personal injury occurs without making identity known, as provided in section 10 of said traffic acts;

A conviction of an offense in any other State, which if committed in the District of Columbia would be a violation of any of the aforesaid provisions of the traffic acts of the District of Columbia;

shall be suspended by the Commissioners of the District of Columbia or their designated agent and shall remain so suspended and shall not at any time thereafter be renewed, nor shall any other motor vehicle be thereafter registered in his name until he shall give proof of his ability to respond thereafter in damages resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to or death of any one person of at least \$5,000, and, subject to the aforesaid limit for each person injured or killed, of at least \$10,000 for such injury to or the death of two or more persons in any one accident, and for damage to property of at least \$1,000 resulting from any one accident. Such proof in said amounts shall be furnished for each motor vehicle owned or registered by such person. If any such person shall fail to furnish said proof, his operator's permit and registration certificates shall remain suspended and shall not at any time thereafter be renewed, nor shall any other motor vehicle be thereafter registered in his name until such time as said proof be given. If such person shall not be a resident of the District of Columbia the privilege of operating any motor vehicle in the District of Columbia and the privilege of operation within the District of Columbia of any motor vehicle owned by him shall be withdrawn until he shall have furnished such proof: *Provided*, That in case of both residents and nonresidents, however, if it shall be duly established to the satisfaction of the said Commissioners or their designated agent, and the said Commissioners or their designated agent shall so find (a) that any such person so convicted, or who shall have pled guilty or forfeited bond or collateral, was, upon the occasion of the violation upon which such conviction, plea, or forfeiture was based, a chauffeur or motor-vehicle operator, however designated, in the employ of the owner of such motor vehicle; or a member of the same family and household of the owner of such motor vehicle, and (b) that there was not, at the time of such violation, or subsequent thereto, up to the date of such finding, any motor vehicle registered in the District of Columbia in the name of such person convicted, entering a plea of guilty or forfeiting bond or collateral, as aforesaid, then in such event, if the person in whose name such motor vehicle is registered shall give proof of ability to respond in damages, in accordance with the provisions of this act (and the said Commissioners or their designated agent shall accept such proof from such person), such chauffeur or other person, as aforesaid, shall thereupon be relieved of the necessity of giving such proof in his own behalf. It shall be the duty of the clerk of the court in which any such judgment or order is rendered or other action taken to forward immediately to the said Commissioners or their designated agent a certified copy or transcript thereof, which said certified copy or transcript shall be prima facie evidence of the facts therein stated.

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, yesterday afternoon there appeared as one of the witnesses before the Special Committee on the Investigation of Crime in the District of Columbia, Inspector Lamb, in charge of the traffic bureau of the Metropolitan Police of the District of Columbia. The testimony given by Inspector Lamb was of such a nature that I believe the Members here upon the floor in consideration of this financial responsibility legislation should be apprized of his remarks.

In 1933, the calendar year, in the District of Columbia there were 80 fatalities from automobile accidents.

In 1934 the figure had jumped to 135 deaths from accidents within the District of Columbia.

Already this year, in less than 2½ months, when the record was compiled, there have been 28 deaths in the District of Columbia by motor-vehicle accidents.

Such figures should cause us to realize we have a terrible traffic condition within the District of Columbia and the Members of this House this afternoon in the consideration of a financial-responsibility law should know that we must have great concern, not only as Representatives of the districts from which we come but as representatives of the District of Columbia as well, in seeing to it that there is speedy enactment of this legislation which we have under consideration this afternoon, which has previously passed this House and which calls upon us as Members here today to give our full approval, our hearty cooperation, and, finally, to pass legislation which will help in future months to bring about a decrease in traffic deaths in the District of Columbia. [Applause.]

Mr. LORD. Mr. Speaker, I rise in opposition to the pro forma amendment.

I am interested in protection for the people who ride in taxicabs in this city. The gentleman from West Virginia has just given us some figures as to accidents in this city during the last 2 years. He told us that in 1933 there were 80 accidents and in 1934 there were 135.

The rate in 1934 was very high, but we may go back 10 years and in 1924 there were 91 accidents at that time, and this has been about the average in the years past up until 1933. With the exception of 2 years, 1933 was the lowest rate we have had in 10 years in the District of Columbia. Last year, of course, it went up to 135, which is very bad. Yet 1933 was low in comparison to the increase in cars.

I say we should provide for insurance for all cars and we should have something that will protect the people. We have in the State of New York for the driver of cars not for hire this very act, but it has not cut down the number of accidents any and has not relieved the situation.

For the cars for hire we have an insurance law, and the taxicab operators must carry insurance in order to drive.

Now, this act proposed for Washington is not fair to the public and it is not fair to the driver. The public supposes that it is being protected, and the driver, if he once has an accident, cannot drive again until he pays up the cost of that accident; and if he is a poor man he cannot pay, therefore is put out of a job.

I know in my own district of one young man who was out driving with a young lady and the young lady was killed. They got a judgment of \$5,000 against him and he had no insurance. He never can drive again until he pays up the \$5,000, and he cannot pay the \$5,000 because he has not the money. The family of the girl cannot recover on account of the death because the young man did not carry insurance and is not responsible.

I think we should pass an act that will take care of the public and protect the driver himself. The same thing will happen to the taxicab driver. He will not be able to take out insurance under this act.

If he was compelled to take out insurance, if he could raise the rate from 20 cents to 30 cents to cover cost of insurance, he would be protected and the public would be protected.

The average person has but one accident in a lifetime. If you pass this bill, we will not be able to get a compulsory-insurance bill through.

Mrs. NORTON. Will the gentleman yield?

Mr. LORD. I yield.

Mrs. NORTON. Massachusetts has had this bill for a number of years. Later on they passed a compulsory bill. After the compulsory bill passed they claim that they had many more accidents than they had under this bill. The motor commissioner went before the legislature this year and asked the repeal of the compulsory bill. He said the drivers placed all the responsibility on the insurance companies, saying that if they had an accident the insurance company would pay, whereas under this bill, or one similar

to it—and the gentleman from Massachusetts [Mr. McCORMACK] will bear me out—they did not have nearly the number of accidents that they had under the compulsory law.

Mr. LORD. When an accident occurs they have insurance and the public is protected.

Mrs. NORTON. Has the gentleman ever had an accident where the driver had insurance and tried to collect?

Mr. LORD. I never had an accident.

Mrs. NORTON. I can tell the gentleman that if he had an accident he would have more difficulty in getting relief under the compulsory law than under this law.

Mr. LORD. In the District of Columbia in 1933 there were 80 accidents; in 1934, 135; and in 1930, 77. In some years there are more accidents than in others, and when they have not had any insurance at all. Therefore the contention that insurance causes more accidents than no insurance to my mind does not hold good. I know that insurance companies will not pay if they can avoid payment, but this is not a good argument for not insuring and protecting the public. I hope the bill does not pass.

The SPEAKER pro tempore (Mr. WOODRUM). The time of the gentleman from New York has expired.

Mr. SISSON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from New York makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. COCHRAN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

(Roll No. 41)

Adair	Doxey	Higgins, Mass.	Peyser
Allen	Driscoll	Hildebrandt	Pierce
Andrews, N. Y.	Driver	Holmes	Polk
Arends	Dunn, Miss.	Hook	Rayburn
Bankhead	Eaton	Johnson, Okla.	Richardson
Barden	Farley	Johnson, W. Va.	Robinson, Utah
Beam	Ferguson	Kennedy, N. Y.	Robison, Ky.
Berlin	Fish	Kerr	Sabath
Binderup	Flannagan	Kleberg	Sandlin
Bolton	Ford, Calif.	Kopplemann	Schaefer
Brennan	Fulmer	Kvale	Schneider
Brewster	Gambrill	Lamneck	Seger
Brown, Mich.	Gassaway	Lehlbach	Shannon
Cannon, Wis.	Gifford	McKeough	Short
Casey	Gingery	McMillan	Smith, W. Va.
Chapman	Granfield	McSwain	Snell
Claborn	Gray, Ind.	May	Stewart
Clark, Idaho	Gray, Pa.	Meeks	Sumners, Tex.
Coffee	Greenway	Merritt, Conn.	Sweeney
Cooley	Greenwood	Miller	Thompson
Crosby	Griswold	Montague	Tinkham
Crowe	Haines	Mott	Tobey
Crowther	Harter	O'Malley	Treadway
Culkin	Hartley	Palmisano	Walter
Cummings	Healey	Parsons	Warren
Daly	Hess	Peterson, Ga.	Wilson, Pa.
DeRouen	Higgins, Conn.	Pettengill	Wolfenden
Dies			

The SPEAKER pro tempore. Three hundred and twenty-three Members have answered to their names, a quorum.

Mrs. NORTON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

APPROPRIATIONS FOR RELIEF (H. J. RES. 117)

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House on Joint Resolution 117 may have until 12 o'clock tonight to file a conference report.

The SPEAKER pro tempore. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Is this agreeable to the Republican conferees?

Mr. BUCHANAN. I have not consulted with them, but I have no doubt that it will be absolutely agreeable to them.

Mr. MARTIN of Massachusetts. Is it the gentleman's purpose to call the joint resolution up tomorrow?

Mr. BUCHANAN. No. Really I do not believe that we will get a report to file tonight, but if we do, I want the privilege of filing it, because the relief funds will be exhausted by April 1, and there is only \$4,000,000 remaining in the relief fund.

Mr. MARTIN of Massachusetts. Mr. Speaker, I have consulted with the gentleman from New York [Mr. BACON]. I have no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas.

There was no objection.

The conference report and statement is as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 117) making appropriations for relief purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 11, 12, 16, 20, 25, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 8, 9, 17, 21, 22, and 24, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "provide relief, work relief, and to increase employment by providing for useful projects"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided, That except as to such part of the appropriation made herein as the President may deem necessary for continuing relief as authorized under the Federal Emergency Relief Act of 1933, as amended, or for restoring to the Federal Emergency Administration of Public Works any sums which after December 28, 1934, were by order of the President impounded or transferred to the Federal Emergency Relief Administration from appropriations heretofore made available to such Federal Emergency Administration of Public Works (which restoration is hereby authorized), this appropriation shall be available for the following classes of projects, and the amounts to be used for each class shall not, except as hereinafter provided, exceed the respective amounts stated, namely: (a) Highways, roads, streets, and grade-crossing elimination, \$800,000,000; (b) rural rehabilitation and relief in stricken agricultural areas, and water conservation, transmountain water diversion and irrigation and reclamation, \$500,000,000; (c) rural electrification, \$100,000,000; (d) housing, \$450,000,000; (e) assistance for educational, professional, and clerical persons, \$300,000,000; (f) Civilian Conservation Corps, \$600,000,000; (g) loans or grants, or both, for projects of States, Territories, possessions, including subdivisions and agencies thereof, and self-liquidating projects of public bodies thereof, municipalities, and the District of Columbia, where not less than one-third of the loan or the grant or the aggregate thereof is for expenditures for direct work, \$900,000,000; (h) sanitation, prevention of soil erosion, prevention of stream pollution, sea-coast erosion, reforestation, forestation, flood control, rivers and harbors, and miscellaneous projects, \$350,000,000: *Provided further*, That not to exceed 20 percent of the amount herein appropriated may be used by the President to increase any one or more of the foregoing limitations if he finds it necessary to do so in order to effectuate the purpose of this joint resolution: *Provided further*, That no part of the appropriation made by this joint resolution shall be expended for munitions, warships, or military or naval matériel; but this proviso shall not be construed to prevent the use of such appropriation for new buildings, reconstruction of buildings, and other improvements in military or naval reservations, posts, forts, camps, cemeteries, or fortified areas, or for projects for nonmilitary or nonnaval purposes in such places"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by the said amendment insert the following:

"Except as hereinafter provided, all sums allocated from the appropriation made herein for the construction of public highways and other related projects (except within or adjacent to national forests, national parks, national parkways, or other Federal reservations) shall be apportioned by the Secretary of Agriculture in the manner provided by section 204 (b) of the National Industrial Recovery Act for expenditure by the State highway departments under the provisions of the Federal Highway Act of November 9, 1921, as amended and supplemented, and subject to the provisions of section 1 of the act of June 18, 1934 (48 Stat. 993): *Provided*, That any amounts allocated from the appropriation made herein for the elimination of existing hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing

structures, and the relocation of highways to eliminate grade crossings, shall be apportioned by the Secretary of Agriculture to the several States (including the Territory of Hawaii and the District of Columbia), one-half on population as shown by the latest decennial census, one-fourth on the mileage of the Federal-aid highway system as determined by the Secretary of Agriculture, and one-fourth on the railroad mileage as determined by the Interstate Commerce Commission, to be expended by the State highway departments under the provisions of the Federal Highway Act of November 9, 1921, as amended and supplemented, and subject to the provisions of section 1 of such act of June 18, 1934 (48 Stat. 993); but no part of the funds apportioned to any State or Territory under this joint resolution for public highways and grade crossings need be matched by the State or Territory: *And provided further*, That the President may also allot funds made available by this joint resolution for the construction, repair, and improvement of public highways in Alaska, Puerto Rico, and the Virgin Islands, and money allocated under this joint resolution to relief agencies may be expended by such agencies for the construction and improvement of roads and streets: *Provided, however*, That the expenditure of funds from the appropriation made herein for the construction of public highways and other related projects shall be subject to such rules and regulations as the President may prescribe for carrying out this paragraph and preference in the employment of labor shall be given (except in executive, administrative, supervisory, and highly skilled positions) to persons receiving relief, where they are qualified, and the President is hereby authorized to predetermine for each State the hours of work and the rates of wages to be paid to skilled, intermediate, and unskilled labor engaged in such construction therein: *Provided further*, That rivers and harbors projects, reclamation projects (except the drilling of wells, development of springs and subsurface waters), and public buildings projects undertaken pursuant to the provisions of this joint resolution shall be carried out under the direction of the respective permanent Government departments or agencies now having jurisdiction of similar projects."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the last word in the matter inserted by said amendment insert the following: "joint resolution"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Any administrator or other officer, or the members of any central board, or other agency, named to have general supervision over the program and work contemplated under the appropriation made in section 1 of this joint resolution, and State or regional administrators (except persons now serving as such under other law), shall be appointed by the President, by and with the advice and consent of the Senate."

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"SEC. 4. In carrying out the provisions of this joint resolution the President is authorized to establish and prescribe the duties and functions of necessary agencies within the Government."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out "4" and insert "5"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 7. The President shall require to be paid such rates of pay for all persons engaged upon any project financed in whole or in part, through loans or otherwise, by funds appropriated by this joint resolution, as will in the discretion of the President accomplish the purposes of this joint resolution, and not affect adversely or otherwise tend to decrease the going rates of wages paid for work of a similar nature."

"The President may fix different rates of wages for various types of work on any project, which rates need not be uniform throughout the United States: *Provided, however*, That whenever permanent buildings for the use of any department of the Government of the United States, or the District of Columbia, are to be constructed by funds appropriated by this joint resolution, the provisions of the act of March 3, 1931 (U. S. C., Supp. VII, title 40, sec. 276a), shall apply, but the rates of wages shall be determined in advance of any bidding thereon."

And the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out "7" and insert in lieu thereof "8"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In line 6 of the matter inserted by said amendment strike out the words "upon such department" and insert in lieu thereof the word "thereupon", and in line 7 of such matter, after the word "this", insert the word "joint"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out "14" and insert in lieu thereof "13"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out "15" and insert in lieu thereof "14", and in line 4, after "1935", insert the following: "as amended"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the number proposed insert "13"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the number proposed insert "16"; and the Senate agree to the same.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
WILLIAM W. ARNOLD,
W. B. OLIVER,

Managers on the part of the House.

CARTER GLASS,
KENNETH MCKELLAR,
ROYAL S. COPELAND,
FREDERICK HALE,
HENRY W. KEYES,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 117) making appropriations for relief purposes submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On no. 1: In lieu of the four general purposes of the House bill stricken out by the Senate and in lieu of the provision in the Senate bill "to provide relief and work relief" there is inserted the following: "to provide relief, work relief, and to increase employment by providing for useful projects."

On no. 2: Strikes out, as proposed by the Senate, the provision in the House bill that the expenditure of the appropriation shall be made under the direction of the President "in such manner and for such purposes and/or such projects, Federal or non-Federal, as shall be adapted to the accomplishment of any one or more of the objectives specified in clause (1), (2), (3), or (4) of the House bill."

On no. 3: Provides for the allocations as set forth in the Senate amendments, modified as follows:

Makes clear that the restoration of certain amounts to the Public Works Administration is authorized.

Provides for "assistance for educational, professional, and clerical persons", with an allocation of \$300,000,000, instead of "projects for professional and clerical persons", in the same amount.

Provides for "loans or grants, or both, for projects of States, Territories, possessions, including subdivisions and agencies thereof, and self-liquidating projects of public bodies thereof, municipalities, and the District of Columbia, where not less than one-third of the loan or the grant or the aggregate thereof is for expenditures for direct work" in the sum of \$900,000,000, in lieu of "loans or grants for public projects of States and Territories and the District of Columbia or political subdivisions or agencies thereof", in the same amount.

Makes provision for prevention of stream pollution.

In the final proviso prohibiting expenditure for munitions, warships, or military or naval matériel, makes clear that the appropriation may be used for new buildings, reconstruction of buildings and other improvements in military or naval reservations, etc.

On no. 4: Strikes out of the House bill, as proposed by the Senate, the authority that "specific powers hereinafter vested in the President shall not be construed as limiting the general powers and discretion vested in him by this section."

On no. 5: Retains in substance the amendment but strikes out of that part relating to highways and grade crossings, all provision for the expenditure of sums authorized for the fiscal year 1936 under the Highway Act of June 18, 1934, and provides that the expenditure of funds in the joint resolution for highways and other related projects "shall be subject to such rules and regulations as the President may prescribe for carrying out this paragraph"; and in the final proviso relating to the carrying on of river and harbor projects, reclamation projects, and public-building projects, inserts the Senate provision modified so as to make more clear its intent.

On no. 6: Inserts the amendment proposed by the Senate authorizing the use of funds made available by the joint resolution for the purpose of making loans to finance the purchase of farm lands and equipment by farmers, farm tenants, croppers, or farm laborers.

On no. 7: Inserts the amendment proposed by the Senate authorizing the use of funds made available by the joint resolution, in the discretion of the President, for the administration of the Agricultural Adjustment Act during the period of 12 months after the enactment of the joint resolution.

On nos. 8 and 9: Provides, as proposed by the Senate, that the appropriation made shall be available for use only in the United States and its Territories and possessions, and excludes the Philippine Islands, which were included in the House bill.

On nos. 10 and 11: Provides, as proposed by the House bill, that the services and supplies to be acquired under the joint resolution shall not be subject to competitive bidding and advertising when the aggregate amount involved is less than \$300.

On no. 12: Provides, as proposed by the House bill, that the Classification Act of 1923, as amended, shall not apply in the fixing of salaries under section 3.

On no. 13: Inserts as a substitute for the Senate amendment providing for confirmation of certain persons to be appointed or designated by the President the following:

"Any administrator or other officer, or the members of any central board, or other agency, named to have general supervision over the program and work contemplated under the appropriation made in section 1 of this joint resolution, and State or regional administrators (except persons now serving as such under other law), shall be appointed by the President, by and with the advice and consent of the Senate."

On no. 14: Strikes out, as proposed by the Senate, section 4 of the House bill relating to the establishment of new agencies, the utilization and prescribing of the duties and functions of Government agencies, the consolidation, redistribution, abolition, etc., of emergency agencies, and the delegation of powers conferred on the President, and inserts as a substitute a section which provides that in carrying out the provisions of this joint resolution the President is authorized to establish and prescribe the duties and functions of necessary agencies within the Government.

On no. 15: Strikes out, as proposed by the Senate, section 5 of the House bill providing for the guaranty of loans to, or payments of, needy individuals, and the making of grants and/or loans and/or contracts, and the acquisition of real property, and inserts in lieu thereof the Senate amendment providing for the acquisition, etc., of real property which is identical with the matter in the House section relative to real property with the exception of authority to "maintain" real property, which is omitted.

On nos. 16 and 17: Corrects the section number, and provides a maximum penalty of \$1,000, as proposed by the Senate, instead of \$5,000, as proposed by the House, for any violation of any rule or regulation prescribed by the President.

On no. 18: Inserts the new section proposed by the Senate providing that the President shall require to be paid such rates of pay for all persons engaged upon any project financed, in whole or in part, through loans or otherwise, by funds appropriated by the joint resolution as will, in his discretion, accomplish its purposes and not affect adversely or otherwise tend to decrease the going rates of wages paid for work of a similar nature; and also authorizes the President to fix different rates of wages for various types of work, which rates need not be uniform throughout the United States. The proviso of the second paragraph of the amendment, relating to wages upon construction of permanent buildings for use of any department of the Government, is modified so as to make applicable to such construction, in lieu of the requirement in the Senate amendment of "any law of the United States or any code", the provisions of the act of March 3, 1931 (the Davis-Bacon Act), with the further condition that the rates of wages shall be determined in advance of any bidding thereon.

On no. 19: Inserts, as proposed by the Senate, a new section which provides that wherever practicable full advantage shall be taken of the facilities of private enterprise in carrying out the provisions of the joint resolution.

On no. 20: Strikes out the section inserted by the Senate requiring sanitary plumbing work in connection with building construction under the resolution to be let separately by contract to the lowest qualified bidder.

On no. 21: Inserts a new section, proposed by the Senate, providing for a fine of not more than \$2,000 or imprisonment for not more than 1 year, or both, for any fraud or attempted fraud in connection with the operations under the joint resolution.

On no. 22: Inserts a new section, as proposed by the Senate, continuing in full force and effect until June 30, 1936, or such earlier date as the President by proclamation may fix, the provisions of the Federal Emergency Relief Act of 1933, as amended.

On no. 23: Inserts a new section, as proposed by the Senate, which prohibits the expenditure of any of the funds appropriated by the joint resolution for administrative expenses of any department, bureau, etc., if such administrative expenses are ordinarily financed from annual appropriations, unless additional work is imposed upon such department, bureau, etc., by reason of the joint resolution.

On no. 24: Inserts a new section, proposed by the Senate, continuing until June 30, 1937, the Public Works Administration, and authorizes the Administration to perform such of its functions

under title II of the National Industrial Recovery Act and under this joint resolution as may be authorized by the President. The section also continues available until June 30, 1937, all sums appropriated to carry out the purposes of the National Industrial Recovery Act. The section also authorizes the President to sell securities acquired under that act and this joint resolution and to use the proceeds for making further loans under that act and this joint resolution.

On no. 25: Strikes out the amendment inserted by the Senate making available not to exceed \$40,000,000 to the States, on the basis of demonstrated need, to enable them to maintain their public schools for the remainder of the current school year. In connection with this action, attention is called to the provision in the modification of Senate amendment no. 3, in the allocation of \$300,000,000, wherein provision is made for "assistance for educational, professional, and clerical persons."

On no. 26: Retains the section inserted by the Senate providing for the application to the expenditure of funds directly by the United States and funds granted or distributed for expenditure otherwise, of the Federal law providing for the acquisition of articles, materials, and supplies mined, produced, or manufactured in the United States (American-made goods).

On no. 27: Inserts the section proposed by the Senate extending until March 31, 1937, the act under the authority of which is maintained the Civilian Conservation Corps.

On no. 28: Strikes out the amendment inserted by the Senate providing for expansion of the currency through the issuance of silver certificates and the acceptance of silver in settlement and adjustment of any balance due the United States.

On nos. 29 and 30: Corrects section numbers.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
WILLIAM W. ARNOLD,
W. B. OLIVER,

Managers on the part of the House.

RESPONSIBILITY OF MOTOR-VEHICLE OPERATORS, DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I move to close debate on this section and all amendments thereto.

The SPEAKER pro tempore. The question is on the motion of the gentlewoman from New Jersey to close debate on this section and all amendments thereto.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 70, noes 17.

So the motion was agreed to.

The Clerk read as follows:

SEC. 3. The operator's permit and all of the registration certificates of any person, in the event of his failure to satisfy every judgment arising from an accident, or accidents, happening subsequently to the effective date of this act and which shall have become final by expiration, without appeal, of the time within which appeal might have been perfected or by final affirmance on appeal, rendered against him by a court of competent jurisdiction in the District of Columbia or any State, or in a district court of the United States, for damages on account of personal injury, or damages to property in excess of \$100, resulting from the ownership or operation of a motor vehicle by him, his agent, or any other person with the express or implied consent of the owner, shall be forthwith suspended by the said Commissioners or their designated agent upon receiving a certified copy of such final judgment or judgments from the court in which the same is or are rendered showing such judgment or judgments to have been still unsatisfied more than 30 days after the same became final, and shall remain so suspended and shall not be renewed, nor shall any other motor vehicle be thereafter registered in his name while any such judgment remains unstayed, unsatisfied, and subsisting, nor until every such judgment is satisfied or discharged, except by a discharge in bankruptcy, and until the said person gives proof of his ability to respond in damages, as required in section 4 of this act, for future accidents. It shall be the duty of the clerk of the court in which any such judgment is rendered to forward immediately upon the expiration of said 30 days to the said Commissioners or their designated agent a certified copy of such judgment or a transcript thereof. In the event the defendant is a nonresident, it shall be the duty of the said Commissioners or their designated agent to transmit to the Commissioner of Motor Vehicles (or officer in charge of the issuance of operators' permits and registration certificates) of the State of which the defendant is a resident a certified copy of the said judgment. If after such proof has been given any other such judgment shall be recovered against such person for any accident occurring before such proof was furnished, and after the effective date of this act such permit and certificates shall again be and remain suspended while any such judgment remains unsatisfied and subsisting: *Provided however*, That (1) when \$5,000 has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of 1 person as the result of any 1 accident; (2) when, subject to the limit of \$5,000 for each person, the sum of \$10,000 has been credited upon any judgments rendered in excess of that amount for personal injury to or the death of

more than 1 person as the result of any 1 accident; or (3) when \$1,000 has been credited upon any judgment or judgments rendered in excess of that amount for damage to property as the result of any 1 accident resulting from the ownership or operation of a motor vehicle by such judgment debtor, his agent, or any other person, with his express or implied consent, then and in such event such payment or payments shall be deemed a satisfaction of such judgment or judgments for the purposes of this section only: *And provided further*, That a judgment debtor to whom this section applies may, for the sole purpose of giving authority to the Commissioners or their designated agent to authorize the judgment debtor to operate a motor vehicle thereafter, on due notice to the judgment creditor, apply to the court in which the trial judgment was obtained for the privilege of paying such judgment in installments, and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order, fixing the amounts and times of payment of the installments. While the judgment debtor is not in default in payment of such installments, the Commissioners or their designated agent upon his giving proof of ability to respond in damages for future accidents, as herein provided, may, in their discretion, restore or refrain from suspending his operator's permit and registration certificate or certificates; but such permit and certificate or certificates shall be suspended as hereinbefore provided if and when the Commissioners or their designated agent are satisfied that the judgment debtor has failed to comply with the terms of the court order.

Whenever any motor vehicle, after the passage of this act, shall be operated upon the public highways of the District of Columbia by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall, in case of accident, be deemed to be the agent of the owner of such motor vehicle, and the proof of the ownership of said motor vehicle shall be prima facie evidence that such person operated said motor vehicle with the consent of the owner.

If any such motor-vehicle owner or operator shall not be a resident of the District of Columbia, the privilege of operating any motor vehicle in the District of Columbia and the privilege of operation within the District of Columbia of any motor vehicle owned by him shall be withdrawn, while any final judgment procured against him for damages, including personal injury or death caused by the operation of any motor vehicle, in the District of Columbia or elsewhere, shall be unstayed, unsatisfied, and subsisting, for more than 30 days, and until he shall have given proof of his ability to respond in damages for future accidents as required in section 4 of this act.

The operation by a nonresident or by his agent of a motor vehicle on any public highway of the District of Columbia shall be deemed equivalent to an appointment by such nonresident of the director of vehicles and traffic or his successor in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceedings against such nonresident growing out of any accident or collision in which said nonresident or his agent may be involved while operating a motor vehicle on any such public highway, and said operation shall be a significant part of his agreement that any such process against him, which is so served, shall be of the same legal force and validity as if served upon him personally in the District of Columbia. Service of such process shall be made by leaving a copy of the process with a fee of \$2 in the hands of the director of vehicles and traffic or in his office, and such service shall be sufficient service upon the said nonresident: *Provided*, That the plaintiff in such action shall first file in the court in which said action is commenced an undertaking in form and amount, and with one or more sureties, approved by said court, to reimburse the defendant, on the failure of the plaintiff to prevail in the action, for the expenses necessarily incurred by the defendant, including a reasonable attorney's fee in an amount to be fixed by the said court, in defending the action in the District of Columbia: *And provided further*, That notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff, or his attorney, to the defendant, and the defendant's return receipt appended to the writ and entered with the declaration, or such notice of such service and a copy of the process may be served upon the defendant in the manner provided by section 105 of the Code of Laws for the District of Columbia. The court in which the action is pending may order such continuances as may be necessary to afford the defendant a reasonable opportunity to defend the action, and no judgment by default in any such action shall be granted until at least 20 days shall have elapsed after service upon the defendant, as hereinabove provided, of a copy of the process and notice of service of said process upon the director of vehicles and traffic.

Mr. SCHULTE. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 10, after line 5, add the following section:
"Sec. 4. No permit or license shall be issued for the operation of a taxicab within the District of Columbia without approval of the Public Utilities Commission; prior to issuance of permit or license a bond or policy of insurance must be furnished conditioned for the payment of all judgments obtained through the negligence, recklessness, or carelessness in operation or defective condition of such vehicle in the amount of \$2,500 for injury to or

death of any one person, and \$5,000 for the injury to or death of two or more persons in any one accident, and for damages to property in the amount of \$1,000 from any one accident, said policy to be in a company approved by the Insurance Commissioner as to financial responsibility.

"No permit or license shall be issued or transferred except as to persons licensed at the effective date of this act until the number licensed shall be less than 2,500, and thereafter only to that limit."

Mr. PATMAN. Mr. Speaker, I make the point of order that the amendment is not germane to this section of the bill.

The SPEAKER pro tempore. This amendment is offered as a new section. The Chair thinks it is in order.

Mr. PATMAN. It would probably have been in order on section 2.

The SPEAKER pro tempore. The Chair thinks this is in order. The gentleman from Indiana is recognized for 5 minutes.

Mr. SCHULTE. Mr. Speaker, the statement has been made that this amendment is being offered by the insurance companies, or that they are behind the offering of it. Allow me to say that no insurance company has prompted anyone to offer this. This is prompted by the people of the District of Columbia who are in the habit of riding in these taxicabs. They are the ones who are insisting on liability insurance. They have no voice here, and we as their representatives should see to it that they do have compulsory insurance. The gentlewoman from New Jersey [Mrs. NORTON] has made the statement that 21 States have adopted a bill similar to this amendment. Allow me to say that she is right; but she does not go further and state that cities in the States have perfected it to the extent that they have \$5,000 and \$10,000 liability on taxicabs. The bill before the House does not take care of taxicab insurance at all.

Mr. GREEN. Mr. Speaker, will the gentleman yield?

Mr. SCHULTE. Yes.

Mr. GREEN. Would the adoption of that amendment tend to raise the fares charged by the taxicabs in the District of Columbia?

Mr. SCHULTE. It would not.

Mr. DONDERO. Does the gentleman's amendment provide or does the bill before the House provide that a person in order to obtain a license to run a taxicab in the District of Columbia must be a resident of the District of Columbia?

Mr. SCHULTE. No.

Mr. DONDERO. The driver could reside in Virginia or Maryland?

Mr. SCHULTE. Yes; or any other place. Let me make this startling statement: In the city of Washington today we have operating on the streets of Washington 4,375 taxicabs, and that in a city of 500,000 people.

The city of Philadelphia has 1,200 taxicabs; Baltimore, 900; Cleveland, 600; Chicago, Ill., with a population of nearly 4,000,000, has 3,160. Under my amendment we are trying to limit this, as they drop out, to 2,500, so that there will be a living in it for the taxicab operators who are operating in the District of Columbia. Everyone will agree that there is not a living in it today with 4,375 taxicabs in the city.

Now, going back to the insurance phase of it, when anyone makes the statement that the insurance companies are fostering this, they are stating an untruth. I brought this in at the request of the citizens of the District of Columbia. They feel they are entitled to this protection. Under this bill they will not receive any protection, but they will receive it under my amendment. We do not go as far as they have gone in other cities throughout the States. We are putting a limitation of \$2,500. In other cities it is \$5,000, and in the lady's own city they have the 5-and-10 limit, but in the District of Columbia they are satisfied with \$2,500.

We are told that there is another bill coming up. You know how far we will get with liability insurance on taxicabs. If we do not put it into this bill, there is not a chance under the sun of the committee reporting it out. You who have been here longer than I know what has happened. There was a death right out here at the very front steps of our

Capitol, when one of our Members was killed. What insurance did his family collect? The Diamond Taxicab Co. has been brought into the picture. They seem to be monopolizing the District of Columbia. Does any Member know how many cases are pending against the Diamond Taxicab Co.? Their operators pay back to the Diamond Cab Co. \$17.50 a month. No one has ever been able to fathom that. No one knows where that \$17.50 goes. They tell you it is for insurance, but when you have an accident with one of the Diamond Cab drivers he tells you he is responsible for the first \$25; if he does not report it in 24 hours, he is responsible for the first \$50, and the poor fellow does not have the \$50, owing to the fact that he is buying the cab on time, 90 percent of the time from the people he is operating it for. In other words, he is a hireling with no sense of responsibility.

Mrs. NORTON. Will the gentleman yield?

Mr. SCHULTE. I yield.

Mrs. NORTON. The chairman would like to know who those people are that the gentleman has in mind. During the entire consideration of this bill we heard nothing but comments in favor of the bill, and we have heard no objection to the bill except from one particular source.

Mr. SCHULTE. We are heartily in favor of the bill with this amendment. We appreciate the fact that there should be public-liability insurance with private automobiles, but under this bill it does not come in for the District of Columbia.

Mrs. NORTON. I say to the gentleman that he has a perfect right to do everything in his power to bring a liability bill before Congress and have it passed upon its own merits. It does not belong in this bill.

Mr. SCHULTE. Let me say we will never get it passed if it is not taken care of in this amendment. I hope this amendment is accepted.

[Here the gavel fell.]

Mr. PATMAN. Mr. Speaker, I rise in opposition to the amendment.

Up until a few days ago no bill was pending in the House of Representatives providing for taxicab insurance, as requested by the gentleman from Indiana [Mr. SCHULTE]. I happen to be chairman of the subcommittee which will handle the legislation. I wish to promise the gentleman now that he can have a hearing on that legislation any time he wants it, and the hearing will be continued until every witness has been heard that the gentleman desires to be heard. Then if that subcommittee is against the bill I will personally ask, as one who is opposed to it, that it be submitted to the full committee for consideration. If that whole committee brings it to the floor of this House, I will oppose it only in a fair way. I do not fight any other way except in a fair way. I will not make any points of no quorum for the purpose of delay, and I will not try to stop it, except with a presentation of the fact. I will only fight fair. If we do not have the facts on our side, we are not entitled to win. But this proposal has no place on this particular legislation. The bill before us is a good bill. It will stop accidents in the District. It will not penalize those who are not causing the accidents. It will place a penalty on those few who do cause accidents.

The gentleman said he wanted to reduce the number of taxicabs to 2,500. You know what that means. They have been trying to do that for years. If you are in favor of a monopoly or a trust in the taxicab business in the District of Columbia, you should vote for the gentleman's amendment, because that will create a monopoly. It will put the business into a little channel where they have wanted it for years.

Mr. SCHULTE. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SCHULTE. Does the gentleman feel that there is a living in it for anyone, with 4,375 taxicab operators on the streets of Washington?

Mr. PATMAN. They are getting by with it. Is the gentleman willing to take 1,875 men and their families out of

this business and put them on relief? That is what the gentleman's amendment will do.

Mrs. NORTON. Will the gentleman yield?

Mr. PATMAN. I yield.

Mrs. NORTON. I have been riding in taxicabs for 10 years, probably on an average of five times a day. I have seldom gotten into a taxicab that I have not interrogated the man concerning his condition. I have found that in every case they have told me they could make \$3 or \$4 a day as a minimum wage, and that they much preferred to have it that way than to have nothing at all.

Mr. RANDOLPH. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. RANDOLPH. The gentleman always is eminently fair. I think the statement he has made this afternoon is significant to the Membership, wherein the gentleman says that, even though he is against this compulsory insurance, he feels that his committee would make a favorable report.

Mr. PATMAN. And if it does not, I will present it to the whole committee myself and ask them to pass upon it. Then if they make a favorable report in the House, I will do nothing to stop it except as I have said. I will simply present the arguments against it.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield further?

Mr. PATMAN. I yield.

Mr. RANDOLPH. I want to say further—the gentleman is eminently fair—I believe he will agree with me here today that his subcommittee will report it favorably and that the District Committee will report it favorably.

Mr. PATMAN. Personally, I think a majority of the members of the committee are in favor of it. Last year I was the only one opposed to it; and the committee has not changed a great deal. I am perfectly willing for them to bring such a bill in, but, in my opinion, this amendment has no place whatever on the pending bill. It involves an added burden for the people of the District of Columbia of \$1,500,000 in extra taxicab fares, and you will probably pay 40 or 60 cents instead of 20 cents to go from here to the Raleigh Hotel or the Post Office Department.

Mr. GREEN. And that is exactly what we used to have to pay.

Mr. CARPENTER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. CARPENTER. Does the taxicab liability bill the gentleman has mentioned have any relationship to the bill now before the House?

Mr. PATMAN. No direct relationship at all, none in the world; and I hope the Members will vote down this amendment.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. DONDERO. The gentleman from Indiana, who offered the amendment, made the statement that there were more taxicabs in the city of Washington than any other city of the Nation. I might observe in this connection that there is not a city in the Nation where conditions are as they are in Washington.

Mr. PATMAN. That is exactly right; there is more business for taxicabs here than in any other city.

Mr. HULL. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. HULL. I want to ask the gentleman if it is not perfectly apparent that if this bill passes it will completely block consideration of taxicab liability insurance?

Mr. PATMAN. If it does, we will not be adding an additional burden on the people of the District to the extent of \$1,500,000.

Mr. HULL. But passage of this bill will block consideration of any other bill relating to liability insurance.

Mr. PATMAN. No; I do not think passage of this bill necessarily would block it; but I think the arguments against the other bill would block it. I know many Members who would vote against it.

Mr. DIRKSEN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, there is nothing particularly involved or mysterious about this bill; the substance of it is recited in section 2 and provides, in brief, that if a conviction or judgment has been obtained against a hit-and-run driver or one who has been driving while drunk or under the influence of narcotics or for some other reason, he shall have his vehicle registration suspended and it shall remain suspended until he shall give proof of his ability to respond in damages. This is the substance of the bill.

You will find that this bill includes all motor vehicles, it includes taxicabs, it includes trucks privately owned, and motor vehicles that are privately owned. Much of the confusion which arises today on this bill comes from the fact that the District of Columbia is in such a peculiar condition, insofar as Congress is concerned. Congress exercises two functions for the District—we serve as a legislature and as a city council for the District of Columbia.

It has been stated that similar financial responsibility bills have been adopted in six Provinces of Canada and in a great number of States of the United States. In this respect it has been adopted by legislative action in these Provinces and States; but this action has left the municipalities free to require as a condition precedent to granting a license to a taxicab that the driver or owner of the cab first must satisfy the municipality or the director of public safety or the director of motor vehicles that he will take out a bond for the protection of the public. Here, however, we have a bill which in its present form leaves out the portion with respect to public safety that is ordinarily exercised by a city council and deals with the problem from a purely State viewpoint.

We are seeking to minimize and to reduce the number of traffic accidents and traffic deaths in the city of Washington. In order to accomplish this we can do one of two things: We can pass this responsibility bill pending before us today or we can pass a compulsory insurance bill. If we are going to exercise our prerogative as a city council for the District of Columbia, however, it becomes necessary to make provision for some kind of compulsory insurance of vehicles that hold themselves out for hire to all of the public. This is the substance of the argument in a nutshell, and it becomes rather an important and, I should say, mandatory duty upon us. Let me read to you what the Court of Appeals of the District of Columbia had to say in two cases where individuals in the District filed suits against taxicab companies. I am reading the language of the Court of Appeals of the District of Columbia:

For we now have in Washington hundreds of taxicabs engaged very literally in a public calling performable only upon the public streets under public license holding out to the public an incorporated responsibility which they do not possess.

In other words, the court seeks to set out that these associations which operate so many taxicabs on the streets are, as a matter of fact, only loosely set up beneficial organizations which take perhaps from \$10 to \$17.50 a month from their drivers. They put it in a trust fund ostensibly for the benefit of those who may be injured in a taxicab accident or to satisfy a judgment; but, as a matter of fact, the trust fund is placed in the name of trustees and it cannot be touched when you resort to litigation against a taxicab company. This is one of the difficulties that arose. Continuing quoting the opinion of the court:

Painted, named, and numbered to heighten that illusion each cab constituting a potential danger both to its passengers and to the public, yet having no financial responsibility to either beyond an equity of redemption in some used motor car.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NICHOLS. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. The gentleman is reading from the Callas case?

Mr. DIRKSEN. This is from the Rhone case, which was considered by the same court and in which they allude to the Callas case also.

Continuing from this opinion, the court says:

In this case even that is absent, for while Jackson asserted his ownership of the car at the license office and in his testimony, and while his ownership was stipulated by counsel, his motion papers show that he never had any interest in the car beyond attempting to buy it under a conditional sales contract subsequently forfeited.

The court goes on to say:

The present methods of selling motor cars and licensing public vehicles lead naturally to the present situation of cutthroat responsibility in a public service of a great importance and daily danger to many persons.

Finally the court says:

Perhaps an improvement of this situation can be found in a system of compulsory insurance preliminary to the license and running in rem with the car in favor of anyone injured by its negligent operation under any arrangement with the licensee, such as many of our States now have and such as appears to have covered hackney coaches in London for a hundred years.

That is from the Circuit Court of Appeals of the District of Columbia. In deference to the gentlewoman from New Jersey, who is chairman of the committee, may I say that perhaps we ought to go along with this bill. We have some assurance from the chairman of the subcommittee that we are going to get this compulsory liability bill out of the committee and on the floor so that everyone who jumps in a cab may have some protection against negligent operation. However, I do not want to see anyone in this House under some misapprehension. It might be that the bill will not come out of the subcommittee. If it does not, there is no compulsory insurance to be had at this session of the Congress. It might come on the floor but it might be defeated; consequently, if you believe in compulsory insurance there is one of two ways to get it. You may support the amendment of the gentleman from Indiana or you may by the grace of some kind destiny hope that the subcommittee will bring up a bill covering the matter.

Mr. Speaker, my own desire is to make clear just what the exact issue is at the present time.

Mr. HOUSTON. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kansas.

Mr. HOUSTON. I take it that the gentleman is not in favor of protecting the patrons of these taxicabs through compulsory insurance?

Mr. DIRKSEN. Yes; I think that should be done.

Mr. HOUSTON. Then what would be wrong with the amendment just offered?

Mr. DIRKSEN. I am not saying there is anything wrong with the amendment that has been offered.

Mr. CARPENTER. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kansas.

Mr. CARPENTER. The fact that we passed this bill would not be any reason for not passing the taxicab liability bill when it comes up for consideration?

Mr. DIRKSEN. No. May I say in all justice, both to the Chairman of the District Committee and to the gentleman from Indiana, that compulsory insurance is an all-inclusive subject that ought to have rather careful study. I notice in the reading of the amendment—and I followed it as closely as I could—that perhaps some provision ought to be made with respect to the details of operation and the administration of a compulsory insurance law. As the amendment is now drafted, I think it recites the maximum amount of liability and lodges authority in the Public Utilities Commission of the District of Columbia to administer the law. Whether that is sufficient or not is a matter for everyone in his individual judgment to decide.

Mr. PATMAN. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Texas.

Mr. PATMAN. The amendment contains about 50 or 75 words. Is it not a fact that a bill to properly cover this matter would probably be 20 or 25 pages long?

Mr. DIRKSEN. I do not know whether that is a fact or not. I do not think we ought to prejudice the gentleman from Indiana in that respect, however.

Mr. Speaker, my primary purpose is to summarize and get a clear-cut view of the whole situation as it stands now.

Mr. SAUTHOFF. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. In order to be safe and give protection to passengers of taxicabs, does not the gentleman think it would be advisable to adopt this amendment; then we will be sure to get the other bill out for consideration, and if it is not what we want we can reject it?

Mr. DIRKSEN. May I say to the gentleman that he is just as familiar as I with the uncertainties of legislation in this body.

Mr. RANDOLPH. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Does not the gentleman think it is better parliamentary procedure to bring out the compulsory-insurance legislation as a separate feature, aside from the bill now under consideration? I would like to say to the gentleman that I am in favor of compulsory insurance, but I am going to vote against the pending amendment, because I do not believe this is the time to have a matter of that kind considered under an amendment hastily drawn.

Mr. DIRKSEN. In fairness I may say to the gentleman from West Virginia that possibly a much better bill could be drafted if more consideration was given to all particulars which are necessarily involved in a bill of such moment.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, I rise in opposition to the pro forma amendment of the gentleman from Illinois.

Mr. Speaker, I am in favor of the bill as the gentlewoman from New Jersey brought it here. We passed this bill in the last Congress. It is a good bill and ought not to be loaded down with other propositions.

I think the Members of Congress, both in the House and Senate, have as much interest in having safe taxicabs and reasonable taxicab charges as anybody in the world. There are 435 Members. All of us have our wives and families here. We have about 900 secretaries and clerks. There are 96 Senators and they have about 600 employees in their offices. Many of these secretaries are married, with families. There are also 100,000 Government workers here and most of them patronize taxicabs. Even those who have automobiles patronize taxicabs frequently during the day and night.

Mr. SISSON. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from New York.

Mr. SISSON. Does it not occur to the gentleman that in the case of one of these Government workers, who is perhaps getting the munificent salary of \$30 a week and she is crippled as the result of an accident while in a taxicab, it would be a mighty good thing for us to protect her by forcing compulsory insurance?

Mr. BLANTON. I will get down to that matter directly. There are 1,500 drivers of taxicabs here in the District who are ex-service men, many of whom served in France, and who do not belong to any organized taxi companies. Many of them are disabled. They have no other way on God's earth to earn a living for their wives and children.

They do not belong to any of these organized taxicab concerns, and the very minute you pass the amendment offered here you put them out of business and on the streets. Their families would starve.

They are making a living now. I have talked with many of them, and, as the gentlewoman from New Jersey has said, they are making anywhere from \$4 a day up to as high as \$7 and \$8, which is more than they made for 3 years until they entered this business.

We have a cheap taxicab rate here, but the very minute you pass this amendment, instead of paying 20 cents to ride from here to the Post Office Department you will pay 75 cents if you run off of the street these 1,500 ex-service-men who are driving taxicabs here. The remaining taxicab operators will immediately go back to meters, and when you ride from here to the Washington Hotel they will charge you \$1.50, and if you do not pay it you are involved in a scrap with a taxicab driver on the public streets of the Nation's Capital.

Why should there not be reasonable and safe taxicab service here under this bill? Do you not know that the very minute you pass this bill every careless taxicab driver will realize that the first time he has an accident his permit is going to be taken away from him and he will never be able to drive again until he puts up a bond? Do you not know that this is going to make him careful? Do you not know they will not hereafter cut corners here at 50 or 60 miles an hour? This bill is going to make them careful and at the same time give you good taxicab service.

We have the best taxicab service in Washington right now, better than any that exists in any other city in the entire world. We have the best and the cheapest service for the benefit of our 100,000 Government workers.

I have to keep two cars here. I keep a Ford to do my work and I keep a large car for the benefit of my constituents, and yet to save time for want of parking places I use taxicabs three or four or five times a day, sometimes. I have to keep a big car here for my constituents. That is what I am here for, to please them, and when they come to Washington I put them in my cars and show them all over this city. I am here to properly represent and look after them. [Applause.] When I have to use taxicabs in order to save time, I use them, but I could not do this if I had to pay 75 cents or a dollar and a half a round trip. I can use them at a reasonable charge.

Let us pass this bill like we passed it last year, and then we will have a reasonable, safe taxicab service.

[Here the gavel fell.]

Mr. SISSON. Mr. Speaker, I move to strike out the last three words.

Mr. Speaker, I am not opposed to the bill that has been reported here by the Committee on the District of Columbia. It is very unpleasant for me to ever oppose anything which the very able chairman of that committee, the gentlewoman from New Jersey, favors, and I know she is acting in all good faith and in all sincerity, but those of you who have been in the House longer than I have know that we have waited a long time for a law providing compulsory insurance of vehicles that operate for hire in the District of Columbia.

There is not a city that I know of in the State of New York or in any other State one-tenth the size of the city of Washington where similar conditions would be permitted with respect to taxicabs operated by owners or drivers, absolutely irresponsible, who are allowed to use the public streets and carry passengers without providing some measure of protection to those who may become crippled or disabled, temporarily or permanently, through the operations of such taxicabs.

Something has been said here about raising the cost and something has been said about providing employment for taxicab drivers. I confess that my experience in riding in taxicabs has been considerably different from that of either the gentleman from Texas or the gentlewoman from New Jersey, because I have heard these fellows complaining, and I think there are a good many other Members on this floor who have heard them complain time after time because they cannot make a living. They state they are just scraping along and that the only thing they have is a car. This is the vice of this entire situation. Any person out of a job can get an old, rattletrap car and get a permit and start operating and carrying passengers around here. If he kills your wife, perhaps, what remedy does this bill give you? The bill is all right so far as it goes, but it is a sham, because

it purports to do something it does not do. If one of these operators kills your wife and you get a judgment against him for damages, my God, what punishment is visited upon him for this offense? He cannot get another permit.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. SISSON. I yield to the gentleman from Texas.

Mr. BLANTON. I have made some investigation of this amendment, and my information from every source is that it would cost every taxicab driver \$365 a year for an indemnity bond.

Mr. SISSON. The gentleman knows better than that. An additional 5 cents per zone would cover it five times over, and everybody who knows anything about insurance knows it.

Mr. BLANTON. The insurance people here and in Baltimore tell me it would cost each taxi driver \$1 a day, or \$365 per year to get an indemnity bond.

Mr. SISSON. The gentleman from Texas is pulling his facts out of thin air, as he often does. He even quotes Scriptures to suit his purpose.

I do not yield any further to the gentleman from Texas.

Mrs. NORTON. Mr. Speaker, will the gentleman yield?

Mr. SISSON. I yield.

Mrs. NORTON. I was very much interested in hearing the gentleman say this bill is a sham. I want to remind the gentleman that the same bill has been passed in his own State of New York.

Mr. SISSON. Yes; but coupled with it is compulsory insurance in every city in the State of New York.

Mrs. NORTON. Not coupled with it, but as a separate bill, just as has been suggested here.

Mr. SISSON. Why can we not vote on a separate bill here? This is our only chance to get such a bill, and I ask those of you who feel that way about it to vote for this amendment.

Mrs. NORTON. We have a separate bill providing for compulsory liability insurance pending in the committee at the present time.

Mr. SISSON. Why have we not had it brought before the House?

[Here the gavel fell.]

Mr. COCHRAN. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The SPEAKER pro tempore. The lady from New Jersey asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

Mr. NICHOLS. Reserving the right to object, I am a member of the committee and I have been trying to get recognition on the last section. I shall object to closing debate on this section in 20 minutes unless I can have 5 minutes and permission to offer an amendment to the section which I have prepared.

Mr. CARPENTER. I would like 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, the gentleman from New York [Mr. SISSON] wants to know why we have not had compulsory insurance. I think I can give him the answer. Eight years ago I offered an amendment, which was germane to the District appropriation bill, proposing compulsory insurance. It was defeated by a vote of 3 to 1. A year or two after that I offered the amendment again. It likewise was defeated. The reason we have not had compulsory insurance in the District of Columbia is because at least three-fourths of the Members of the House at that time were opposed to compulsory insurance and I think the same situation exists now.

I see no opportunity to get compulsory insurance now. Therefore, what is the best thing to do? The best thing to do is to take the best that we can get, and we have waited a long time for this much. I shall vote for this bill because it is for the benefit of the people of the District of

Columbia and visitors to Washington if the bill is passed. I am going to vote for it because the gentlewoman from New Jersey [Mrs. NORTON] tells us that if the bill does not work, in the next session of Congress she will try to bring in a bill that will work. What more can we ask?

Mr. Speaker, I yield back the balance of my time.

Mr. NICHOLS. Mr. Speaker and ladies and gentlemen of the House, those of you who are still here, I want to say to you that as soon as the bells ring which will bring back Members from their offices to vote on this bill they will be met at the door and told to vote for this bill, and if there is a roll call on this amendment they will be told not to vote for the amendment because it will raise taxi fares in the District of Columbia.

That same thing occurred on a compulsory-insurance bill in the last session of Congress.

I would like to have you meet them at the door and advise them what the real issue is.

I wish I had time to answer all the things that I have noted down of statements and arguments made by gentlemen who have supported the passage of this bill. But I will probably not have time and I will go as far as I can.

I want to answer a statement made by the gentleman from Texas [Mr. PATMAN], where he said that the Diamond Cab Co. took care of the claims in the District of Columbia.

Now, let us see how the Diamond Co. took care of the claim in the Callis case, where an old fruit vender was run down and the Diamond Cab Co. claimed that the driver had no connection with their company.

I read now from that opinion:

The president of the corporation called by the plaintiff as a witness of necessity, on cross-examination testified that the company did not own cabs, had never owned one, and that Schou had never been a member of the association.

And I say to my very good friend from Texas [Mr. BLANTON] that this bill as it is written will do more to drive the ex-service-men who operate taxicabs off the streets of Washington than the adoption of this amendment to make compulsory insurance, and I shall tell him why. Do you know that it is the Diamond Cab Co. and the rest of those fellows who today sponsor this legislation? Why? Because if the poor little unprotected taxicab operator who makes a living for his wife and children by operating that cab on the streets is so unfortunate as to have an accident, he is out of business, and cannot get back, because he cannot show financial responsibility, and anticipating what I think I am about to be asked by the gentleman from Texas whom I see on his feet, the reason that he can get it now under a compulsory-insurance plan, when he would not be able to get it otherwise, is because if you adopt compulsory insurance, then the insurance companies will provide group insurance for the operators of these taxicabs, which will drive the rate of insurance down to such a point that every individual operator can protect himself, and his passengers, and your constituents, by proper insurance.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. PATMAN. At the present time there are about 4,350 taxicabs on the streets of Washington. This amendment will restrict them to 2,500. I think the gentleman will admit that that will automatically put 1,850 out of business.

Mr. NICHOLS. I cannot see why, because I say to you that group insurance will fix it so that they will be taken care of.

Mr. PATMAN. But the gentleman does not get the point that I intend to make, and that is that this amendment itself restricts the number of 2,500, and with 4,350 operating on the streets that would automatically put out of business 1,850.

Mr. SCHULTE. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. SCHULTE. So far as the 2,500 is concerned, it does not take them off the street; but the minute that one ceases

operating the number begins to decrease. This amendment does not put any of them off the street.

Mr. NICHOLS. If it is only the matter of the number, that is easily changed. If that is the objection, then offer an amendment to increase the number to 4,350. That is easily taken care of. I wonder what the Members of the House are most interested in here in the consideration of this bill? Are they more interested in the fact that they might have to pay a little more taxicab fare in order to get to their office, in the morning or are they more interested in safeguarding the life and limb of their constituents and the public that rides in these taxicabs in this city?

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. BLOOM. Mr. Speaker, a parliamentary inquiry. Is the time 5 minutes or 10 minutes? I understood that the gentleman was allowed 10 minutes.

The SPEAKER pro tempore. We are operating under the 5-minute rule in the House. The gentleman was recognized for 5 minutes.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the time not used by the gentleman from Missouri [Mr. COCHRAN] be yielded to the gentleman from Oklahoma.

Mr. NICHOLS. I understood that that was yielded to me.

The SPEAKER pro tempore. Does the gentleman desire 3 additional minutes?

Mr. NICHOLS. Yes.

The SPEAKER pro tempore. Without objection, the gentleman is recognized for 3 additional minutes.

There was no objection.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. LUCAS. The gentleman read from the Callas case. What was the holding in that case with respect to the Diamond Co.?

Mr. NICHOLS. It is a lengthy opinion, and I would not be able to quote at length from it, but one of the syllabi reads:

Where, in an action for personal injuries against a taxicab company, it appears that a cab bearing the peculiar colors and trade name of the defendant company caused the injuries, and the charter of the company showing its authority to operate taxicabs is in evidence, it will be presumed the car was in the custody and on the business of the company.

In other words, the court said to the Diamond Co., "If you permit your boys to bear the insignia of your company, then you will be presumed to be liable for them"; and so, in order to make themselves big hearted, as my friend says, they went to Delaware and took out a new charter, and they are operating under a new charter now and not the charter they were sued on in the instant case.

Mr. DONDERO. Has the gentleman any data or information to show the House that compulsory insurance has decreased accidents?

Mr. NICHOLS. No, I have not; but I want to say this: I have heard a lot of argument about 21 other States in the United States having laws similar to this. Now, let us be reasonable about this. Let us not be confused about these things. Suppose a State does have a law; does the law of the State of New York, providing for insurance of this nature, mean that New York City, a separate municipality and department of government, should not pass a law requiring compulsory insurance to protect the citizens of that city? Certainly not. A State law only affects the State, and I venture the assertion that every city in most of those 21 States protects its citizens with compulsory insurance; but the State law would not affect them at all.

Mrs. NORTON. Will the gentleman yield?

Mr. NICHOLS. I yield.

Mrs. NORTON. Under the peculiar government of the District of Columbia, the Commissioners are more or less responsible for the government of the District. The Commissioners are absolutely in favor of this law. Every single organization which the District of Columbia Committee has

heard from has been in favor of this law. There has been exactly one disagreement and that disagreement came from somebody engaged by the insurance companies. So I say to you that all of the responsible agencies in the District being in agreement, all of the people responsible for the city government being in favor of it, it would certainly seem to me that we could do no better than go along with the committee and pass this bill.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma [Mr. NICHOLS] has expired.

Mr. CARPENTER. Mr. Speaker, my position on this bill is somewhat like that of the gentleman from Illinois [Mr. DIRKSEN]. I am for the present bill and I am also for the taxicab liability insurance bill, and therefore I am supporting this amendment. A number of taxicab operators have come to me at different times in favor of taxicab insurance. I sent them to the gentleman from Texas [Mr. BLANTON], telling them I was sure they would receive a sympathetic hearing from him. I heard the statement which the gentleman from Texas just made with regard to this taxicab-insurance proposition, and I could hardly believe my ears in view of the remarks which the gentleman made earlier in the session when the District of Columbia appropriation bill was being considered by the House. In order to make sure whether my memory was correct or not I consulted the CONGRESSIONAL RECORD, and in the RECORD of January 16, 1935, at page 512, I find the following. This is Mr. BLANTON speaking:

I keep a big car to show my constituents around the city. Many of my constituents come here. I also keep a little Ford work car to go to the departments. And besides I use many taxicabs. I have been to the departments this morning. It is a lot easier to jump in a cab than to send for your car and find a parking place. I have used taxicabs this morning. We have a provision here that keeps the 20-cent zone, the 30-cent zone, the 50-cent zone, and the 70-cent zone, and protects the people of Washington from being robbed by some of these cabs.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. DIRKSEN. The gentleman from Texas, of course, is familiar with the taxicab bill introduced in the last session?

Mr. BLANTON. I voted for it.

Mr. DIRKSEN. Can the gentleman very well justify that static rate of 20 cents and still compel these cabbies to buy a rather expensive kind of liability insurance?

Mr. BLANTON. I will tell the gentleman about that. I hope the gentleman will report that bill again, and I shall help to pass it. I voted for it the last time it was considered. It is a bill that provides liability insurance, and they ought to be put under liability insurance. When they have an accident here they ought to pay for any damage done. I want such a bill passed, and I am going to vote for it; and when you enact such a measure, instead of having 4,000 cabs here, which is 1,000 too many, you will have 3,000. This bill alone will take 1,000 bad cabs off of the streets—cabs that are run by irresponsibles.

[Here the gavel fell.]

Mr. CANNON of Missouri. I yield the gentleman from Texas 10 additional minutes.

Mr. BLANTON. When you pass this bill you will take the irresponsibles off the streets, the ones who are causing most of the accidents, and the 3,000 taxicabs that will be left at 20 cents for the first zone will make a great deal more money than they are making now because more people will ride in them. Some people are afraid to ride in a taxicab now.

Now, that statement was made on this floor on January 16, 1935. In view of the remarks made a few moments ago by the same gentleman from Texas, I am at a loss to know just which of his statements to believe.

Mr. KELLER. Which is the latest statement?

Mr. CARPENTER. The one I just read is the earliest remark.

Now, my position in regard to this matter is that when the taxicab liability insurance bill does come out of the committee and up for consideration here on the floor, if this amendment is not agreed to, we should not use this bill in opposition and as a reason for not passing a real taxicab liability insurance bill. The World War veteran taxicab drivers have come to me and said they wanted this kind of a bill. This is the only District of Columbia legislation that really affects our constituents.

Mr. HOUSTON. Will the gentleman yield?

Mr. CARPENTER. I yield.

Mr. HOUSTON. Granting that this bill is a good bill, would it not be just that much better by adding the amendment?

Mr. CARPENTER. Certainly, and now is the time and place to add it. As was suggested a little while ago, if there is anything that needs to be added, it can be added in conference; but bear this fact in mind, that this is not a bill to raise taxicab fares.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. GREEN. Mr. Speaker, I rise in opposition to the amendment.

I shall probably not use all the 5 minutes allotted me, but I do want to ask the House to stand by the bill as presented by the committee. The committee has given very careful study to this subject, at least over the past 2 years. Last year it reported a bill very similar to the one before us, and the House approved it. The committee now has before it a bill which would carry out the substance of the amendment which has just been offered. The committee, in the course of time, will decide that question upon its merits. The gentleman from Texas [Mr. PATMAN] has indicated the committee's fairness in this matter. No one has a better knowledge of the subject than the members of our constituted committee, which has made this special study of it. The gentlewoman from New Jersey, the chairman of the committee, has rendered an unusual service to the great District Committee. Her record is one of signal achievement of worthwhile legislation for the city of Washington and the District of Columbia. I am willing to follow her leadership on this bill.

No one has a greater care for the welfare of the District of Columbia, its citizens, and our constituents who come here than the members of this committee. Some of them have served on the committee for many years. I do not believe any of you gentlemen would like to see an advance in taxi rates for the city of Washington, especially when such would cause so many taxi drivers to be thrown out of employment. The cheaper rate makes it possible for the Federal employees, and, in fact, nearly everyone to afford taxi transportation. The number of taxis now in service in the District of Columbia is absolutely necessary. If you want proof of this, observe the traffic on Pennsylvania Avenue every morning between 8:30 and 9 o'clock. You will find practically every street car in the city loaded with people going to work, you will find hundreds of taxicabs delivering their passengers at the same time. Fewer cabs will not be able to take care of the demand. In order to keep transportation within the reach of those of small means the number of taxicabs under the present arrangement is absolutely necessary. This number is also essential for adequate transportation for the traveling public in the District of Columbia. We need to, if possible, increase efficiency in transportation, not hamper it.

I shall support the bill as reported by our committee.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NICHOLS: Beginning with line 16, page 8, strike out the remainder of the section down to and including line 5 on page 10.

Mr. PATMAN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PATMAN. Does not the pending amendment have to be disposed of first?

The SPEAKER pro tempore. This is a perfecting amendment.

The Chair will state to the gentleman from Oklahoma that all time for debate on this section has been exhausted. If the gentleman desires to submit a unanimous-consent request for time the Chair will, of course, put it; but all time on this section has been exhausted.

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

Mr. PATMAN. Mr. Speaker, reserving the right to object, and I shall not object, I ask unanimous consent that 6 minutes be allowed; the gentleman from Oklahoma to have 3 minutes, and I, a member of the committee, to have 3 minutes in which to answer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NICHOLS. Mr. Chairman, I simply want to call the attention of the House to this language. I do not intend to make a long-winded or hard argument on this thing, I simply want you not to be able to say that you were not advised.

Mr. Speaker, this portion of the bill provides that when one of your constituents, or mine, comes to the city of Washington, either in his automobile or any other way, and then returns to his home; after he has gone back to Oklahoma, Colorado, Kansas, Texas, or some other State, somebody here decides he has a grievance against him, then under the language of this bill, if it is permitted to remain as written, all that person would have to do would be to go to the director of traffic of the city of Washington, make a \$2 deposit and he will have service on your constituent back in California by which he can take a default judgment without your constituent ever having had real notice of the action. Now, if the Members want to follow along with that, let them do so, but I wanted them to be advised of the situation.

It is provided near the close of this provision, though, that in the event he is not successful in obtaining judgment against your constituent the man who brings the suit must pay the costs.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. HOFFMAN. Does the gentleman believe it is constitutional?

Mr. NICHOLS. I am afraid of it; I am certainly afraid to take a chance. If it is unconstitutional, that is a good reason why it ought to be taken out of the bill. I do not know whether it is constitutional or not.

Mr. HOFFMAN. Has not the Supreme Court of the United States passed on this very question?

Mr. NICHOLS. I think probably they have, but I do not know whether their decision fits this particular case. I am just calling it to the attention of the House. Here is the unfair part, if they are mistaken in suing your constituent, it does not make any difference how much trouble they have put the man to in California, Texas, or Maine, all they have to do is to pay the costs and they are through.

If I have any time left, I yield it to my distinguished colleague from Texas.

The SPEAKER pro tempore. The gentleman has consumed his time. The gentleman from Texas is recognized for 3 minutes.

Mr. PATMAN. Mr. Speaker, the gentleman failed to state one very important part of this bill. He stated the bill correctly as far as he went, but he failed to tell you that before the plaintiff can get service on this nonresident the plaintiff will be compelled to file a good and sufficient bond. This bond is conditioned upon the plaintiff either winning the suit or paying all the costs of the proceeding, the expenses to Washington, attorneys' fees, and everything else that the person might be out in defending the litigation.

At first blush I thought the gentleman was right, but after reading the entire language I find that our constituents are fully protected under the bill. They will have to be given 20 days' notice. If they succeed in getting a verdict in favor of the defendant, all costs are paid by the plaintiff; and the plaintiff, before filing the suit, has filed a good and sufficient bond to guarantee all of the costs, including reasonable attorneys' fees.

Mr. FORD of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. FORD of Mississippi. Does the gentleman think they could obtain judgment against the party on that kind of service of process?

Mr. PATMAN. This bill goes to the extent of providing for service; not only must notice be filed with the director of traffic here but the defendant himself must be served by registered mail.

Mr. FORD of Mississippi. Mr. Speaker, will the gentleman yield further?

Mr. PATMAN. Yes.

Mr. FORD of Mississippi. Does the gentleman think service of that kind legal?

Mr. PATMAN. I am not discussing the legality of it; I just do not know; anyway, we are not passing on the legality of it.

I think we have a proper safeguard in the bill when we require a plaintiff to deposit a good and sufficient bond in order to guarantee all the expenses of the defendant, including the defendant's attorney fees and everything else, before he can get service on defendant.

Mr. LUCAS. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. LUCAS. Is this a mere sham to bring an innocent fellow into the District of Columbia in order to get service on him after he gets to the District of Columbia?

Mr. PATMAN. No. I do not think anything would be a sham which requires the deposit of a bond to guarantee all expenses.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Oklahoma.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the first amendment, together with the amendment to the amendment, be read for the information of the Members of the House.

The SPEAKER pro tempore. There are two separate amendments. Without objection, the Clerk will read the perfecting amendment offered by the gentleman from Oklahoma [Mr. NICHOLS].

There was no objection.

The Clerk read the Nichols amendment.

Mr. CARPENTER. Mr. Speaker, I ask unanimous consent that the section that the gentleman from Oklahoma seeks to strike out by his amendment be read so that it will be fresh in our mind.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Clerk read the portion of the bill referred to.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Oklahoma [Mr. NICHOLS].

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 38, noes 31.

So the amendment was agreed to.

The SPEAKER pro tempore. The question recurs on the amendment offered by the gentleman from Indiana.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that that amendment be read. It is very important.

Mr. BLANTON. No. It is too long.

Mrs. NORTON. Mr. Speaker, I think it is perfectly right and proper that the amendment be read. This amendment changes the entire bill, and it is something of very great importance. The obvious purpose of the amendment is to throw out the entire bill, and not for any good reason.

Mr. NICHOLS. Mr. Speaker, I make the point of order that all debate has closed on this section.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. BLANTON. Mr. Speaker, I object, because the amendment is too long.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 37, noes 47.

So the amendment was rejected.

Mr. Sisson. Mr. Speaker, I demand tellers.

Tellers were refused.

The Clerk read as follows:

SEC. 4. Proof of ability to respond in damages when required by this act may be evidenced by the written certificate or certificates of any insurance carriers, duly authorized to do business within the District of Columbia, or in the case of a nonresident by an insurance carrier authorized to transact business in any of the several States, that it has issued to or for the benefit of the person named therein a motor-vehicle liability policy or policies as defined in this act which, at the date of said certificate or certificates, is in full force and effect and designating therein by explicit description or by other appropriate reference all motor vehicles with respect to which coverage is granted by the policy certified to. The said Commissioners or their designated agent shall not accept any certificate or certificates unless the same shall cover all motor vehicles registered in the name of the person furnishing such proof. Additional certificates as aforesaid shall be required as a condition precedent to the registration of any additional motor vehicle or motor vehicles in the name of such person required to furnish proof as aforesaid. Said certificate or certificates shall certify that the motor-vehicle liability policy or policies therein cited shall not be canceled except upon 10 days' prior written notice thereof to the said Commissioners or their designated agent.

Such proof may be the bond of a surety company duly authorized to do business within the District of Columbia or a bond with at least two individual sureties, each owning unencumbered real estate in the District of Columbia, approved by a judge of a court of record, and filed with the said Commissioners or their designated agent, which said bond shall be conditioned for the payment of the amounts specified in section 2 hereof and shall not be cancelable except after 10 days' written notice to the said Commissioners or their designated agent. Such bond in the case where individual sureties are offered shall contain a schedule of the real estate of said sureties and shall constitute a lien in favor of the District of Columbia upon said real estate, which lien shall exist in favor of any holder of any final judgment thereafter rendered on account of damage to property over \$100 in amount or injury to any person or persons caused by the operation of such person's motor vehicle. Said bond shall be recorded by the principal named therein among the land records of the District of Columbia before the same is filed with the Commissioners or their designated agent. If a final judgment rendered after the filing of the bond as aforesaid against the principal named in the surety or real-estate bond for damages sustained to person or property while said bond remains in force or effect shall not be satisfied within 30 days after its rendition, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action in the name of the District of Columbia against the company or persons executing such bond.

Such proof of ability to respond in damages may also be evidence presented to the said Commissioners or their designated agent of a deposit by such person with the clerk of the Supreme Court of the District of Columbia of a sum of money, the amount of which money shall be \$11,000. The said clerk shall accept such deposit and issue a receipt therefor. But the said clerk shall not accept a deposit of money where any judgment or judgments, therefore recovered against such person as a result of damages arising from the operation of any motor vehicle, shall not have been paid in full. Such money shall be held by the said clerk to satisfy, in accordance with the provisions of this act, any execution issued against such person in any suit arising out of damage caused by the operation of any motor vehicle owned or operated by such person. Money so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages, including injury to property, and personal injury or death, as a result of the operation of a motor vehicle.

Mr. CANNON of Missouri. Mr. Speaker, the local newspapers announce that a movement is being organized to march upon the Capitol for the purpose of affecting a change in the personnel of one of the House committees.

Of course, there will be no such march. The citizens of the District of Columbia have too much regard for the proprieties and too high an appreciation of the courtesies of the Congress, and of the Committee on Appropriations in particular, to think of attempting to dictate to the House in a matter of its organization or to coerce it by a display of organized or unorganized numbers. Certainly no such demonstration will be made on the grounds which have been mentioned as prompting the suggestion. According to the newspaper reports, the agitation is promoted for the purpose

of securing the removal of the gentleman from Texas [Mr. BLANTON] from the subcommittee of the Committee on Appropriations in charge of the District bill because he is credited with dominating the subcommittee in the preparation of the bill. Every member of that committee will agree with me that there is no foundation for such a report. No one has been more considerate or has deferred more consistently to the wishes of other members of the committee than Judge BLANTON. In all my service with him on that committee I do not recall a single instance in which he ever insisted on any matter or any item in connection with the writing of the bill.

How far beside the facts many of the reports circulated in this connection have been is indicated by one to the effect that Judge BLANTON was instrumental in placing in the bill provision for an additional assistant superintendent of the Metropolitan Police Department. As a matter of fact, Mr. BLANTON opposed the provision. When the Budget estimates were received last year they provided for two Assistant Superintendents instead of one. The committee, with the approval of Judge BLANTON, rejected the recommendation and provided for one assistant superintendent, as in former years. But when the bill went to the Senate the additional assistant superintendent was incorporated in the bill and the House agreed to it in conference. The charge is that Judge BLANTON supported the item, when the truth is he voted against it both in the committee and in the House.

Again, the statement of Judge BLANTON that the committee was apprised of the operation of a gambling establishment a block from the Capitol has been questioned both in the papers and in hearings before another committee. All members of our committee will agree that this information was given us on two different occasions, and that a reputable employee of the Government testified before the committee, giving the street address and describing the building in which the place was being operated. He informed the committee that this house was running in full blast, that it had been running for over a year, and that it was equipped with various gambling devices and was widely patronized.

May I say, while I am discussing this matter, Mr. Speaker, that a great deal is printed in the local papers about this committee and this bill which is erroneous. I have no doubt that it is reported to the papers and they print it in good faith, but the fact remains that much of it is, to say the least, misleading. For example, the papers carry articles which would lead readers to infer that the committee has reduced the number of police here in the District, and that it reduced the appropriations for the support of the police department. On the contrary, Mr. Speaker, the committee has made more officers available. It gave the Commissioners every man they asked. It gave them every dollar they suggested for the support of the police department. The committee recommended and the House provided the full Budget estimate. The number of men available for police duty in Washington is larger under the pending bill and the amount provided for its maintenance is higher than at any time in the history of the city, all statements to the contrary notwithstanding.

Mr. Speaker, I have not conferred with Judge BLANTON about these matters. I merely make this statement in order to keep the RECORD straight. He is one of the most useful members on the committee. His intimate knowledge of District affairs, his indefatigable industry, and his long service on the bench make him one of the most valuable Members of the committee and the House. [Applause.]

Mr. BLANTON. Mr. Speaker, I deeply appreciate what has just been said, and with all my heart I thank my distinguished friend from Missouri [Mr. CANNON] for his statement. I am grateful to him for making it, and I am also grateful to my other colleagues here for the friendly manner in which they received it.

There is a proper time for all things, and it will not be long now until I shall present to this House all of the facts connected with the dirty, damnable plot Hearst's scandalous

Washington Herald and Washington Times, and Eugene Meyer's unreliable Washington Post entered into and hatched up in their cowardly efforts to try to get me off of the committee that handles the appropriations for the District of Columbia, and which hellish conspiracy the Washington Star and the Washington News aided and abetted by despicably publishing all the misinformation and lies their irresponsible minions have daily manufactured.

These conspirators have already learned that their plots and plans have gone awry. They have failed. Their whole scheme has fizzled. They have all been left suspended in the air. For 10 days they covered their top front pages with box-car headlines, and printed page after page of ridiculous innuendoes, that have thoroughly disgusted every decent, honest, unbiased, posted reader all five of these newspapers have, for all of their cowardly efforts have culminated in proving conclusively that their sole ground for criticizing me was I had tried to have appointed as one of the assistant superintendents of the Metropolitan Police of Washington, D. C., a high-class Washington citizen, Inspector Albert J. Headley, who has honorably served as a policeman and police officer here in Washington for the past 39 years, and who is a man of strict honor and integrity, who is as brave as a lion, who is absolutely dependable, who is a strict enforcer of the law, who is worthy and in every way well qualified, who is an honorable police official whom the professional gamblers, bootleggers, and police debauchers cannot buy, scare, intimidate, or dominate, who has not been afraid to demand discipline in the force or to order police captains to close up gambling houses that for months have been running wide open in arrogant violation of the law, and who at all times has been a perfect gentleman, a beloved neighbor, and a faithful, loyal friend. Such a man is Inspector Albert J. Headley, who during the past 20 years has done more to weed out and clean up the crookedness in the police force of Washington than any other 10 officers combined.

And merely because I tried to get such a worthy officer appointed assistant superintendent, all of this silly, malicious, ridiculous, inexcusable, cowardly hurrah and hullabaloo has been raised, for no purpose on earth other than to try to wantonly and unjustly stir up and inflame the minds of the people of Washington against me, hoping that if they could incite and pull off a massed demonstration at the Capitol against me they might be influential enough to force me off of the committee as one of the House conferees before the District appropriation bill goes to conference.

But they have learned that they cannot do it. The House of Representatives is not their docile puppet. It does not obey their orders. It is not dominated by five Washington newspapers. It does not say, "Yes, master", to them; and they have learned that the citizens of Washington are not so credulous. They are not so easily fooled. They did not let these conspiring newspapers lead them into a trap. They saw clearly between the lines. They saw malice and spleen and injustice. So they asked to be excused; and so this five-headed modern Haman is left hanging upon the scaffold specially prepared for Mordecai.

If these five newspapers could see the great stack of letters I have received from leading substantial citizens of Washington, sympathetically expressing their continued confidence and friendship and assuring me that they despise such contemptible attacks, they would realize just how futile is such scheming and plotting. I am surprised that such a decent newspaper as the Washington Star has always been would allow itself to be caught in such disreputable company.

I have slowly but surely been gathering the facts about this plot and conspiracy. My investigation is about complete. I have these conspirators cornered, and they know it. I have had them squirming for a week. They know what is coming. And they know exactly what effect the divulging of their infamous scheme will have upon Congress. They realize now that it will vividly remind Congress of what caused the Continental Congress to move the seat of our Government

from Philadelphia to Princeton, and then to Annapolis, and finally to establish a permanent seat of government in its own District of 10 miles square, known as the "District of Columbia", over which, by the Constitution of the United States, Congress shall forever exercise absolute authority and control.

And these five Washington newspapers now realize that the facts I have gathered, and which I will soon present to this House, will convince the Members of the House and Senate that our forefathers were wise indeed when they had it definitely stipulated in the Constitution of the United States that Congress is given exclusive jurisdiction over the District of Columbia, and that it is absolutely necessary and essential that Congress shall continue to exercise absolute authority and control over the District of Columbia.

By sending reporters to me and by falsely announcing that I would take the floor at such-and-such a time, Hearst's papers here have been trying to incite me to giving out my facts before I completed my investigation; but I shall not let them push me until I am ready. I will soon have my facts complete, and then I will take the floor; and when I relate them, with the proof that I have gathered, you will be astounded. I thank you. [Applause.]

The Clerk concluded the reading of the bill.

Mrs. NORTON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The bill was ordered to be read a third time and was read the third time.

Mr. NICHOLS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. NICHOLS. I am, Mr. Speaker.

The Clerk read as follows:

Mr. NICHOLS moves to recommit the bill to the District of Columbia Committee with instructions to report the bill back to the House forthwith with the following amendment:

Page 10, after line 5, add the following section:

"Sec. 4. No permit or license shall be issued for the operation of a taxicab within the District of Columbia without approval of the Public Utilities Commission. Prior to issuance of permit or license a bond or policy of insurance must be furnished conditioned for the payment of all judgments obtained through the negligence, recklessness, or carelessness in operation or defective condition of such vehicle in the amount of \$2,500 for injury to or death of any one person and \$5,000 for the injury to or death of two or more persons in any one accident, and for damages to property in the amount of \$1,000 from any one accident, said policy to be in a company approved by the insurance commissioner as to financial responsibility.

"No permit or license shall be issued or transferred except as to persons licensed at the effective date of this act until the number licensed shall be less than 3,000 and thereafter only to that limit."

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Mr. Speaker, I make the point of order that the amendment is not germane to the bill or to the purposes of the bill. The bill is not a general liability-insurance bill.

Mr. NICHOLS. Mr. Speaker, the Chair has already ruled on the very same amendment to this very same bill and has held it is germane.

Mr. BLANTON. I am submitting the point for the purpose of getting a ruling by the Speaker.

The bill provides simply for indemnity required after accidents before a new permit is issued. The amendment is a general liability amendment requiring a bond before driving and would prevent all taxicabs from being operated on the streets until a bond had been given. They are entirely different purposes.

The SPEAKER. The Chair is ready to rule.

The bill provides for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles being operated on public highways in the District of Columbia. This is one of the objects of the bill.

Mr. BLANTON. Mr. Speaker, I had overlooked the purposes stated in the caption. That would probably embrace the amendment, and I shall not insist on the point of order.

The SPEAKER. In the opinion of the Chair, the motion is germane, and the Chair therefore overrules the point of order.

Mrs. NORTON. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. NICHOLS. Mr. Speaker, I would like to be heard on my motion to recommit.

The SPEAKER. The motion of the gentleman from Oklahoma to recommit is not debatable.

The previous question was ordered.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

A motion to reconsider was laid on the table.

CREATION OF A BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS IN THE DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I call up the bill (S. 406) to amend an act approved May 1, 1906, entitled "An act to create a Board for Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes."

The Clerk read the bill, as follows:

Be it enacted, etc., That sections 7, 14, and 15 of the act approved May 1, 1906, entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes", are hereby amended to read as follows:

"Sec. 7. That the owner or owners of any building or buildings condemned under the provisions of this act, which cannot be so changed or repaired as to remedy the condition which led to the condemnation thereof, where the repairs and/or alterations necessary to remedy the conditions which led to the condemnation thereof cannot be made at a cost not greater than 50 percent of the present reproduction cost of said building as may be agreed upon by a majority of said Board, shall demolish and remove such building or part of building within the time to be specified by said Board in the order of condemnation. And if any owner or part owner shall fail or refuse to demolish and remove said building or part of building within the time so specified, he shall be deemed guilty of a misdemeanor and liable to the penalties provided by section 13 of this act, and such building or part of building shall be demolished and removed under the direction of the Board for the Condemnation of Insanitary Buildings in the District of Columbia, and the cost of such demolition and removal, less the amount, if any, received from the sale of the old material, but including the cost of making good such damage to adjoining premises as may have resulted from carelessness or willful recklessness in the demolition of such building and the cost of publication, if any, herein provided for, shall be assessed by the Commissioners of the District of Columbia as a tax against the premises on which such building or part of building was situated, such tax to be collected in the same manner as general taxes are collected in the District of Columbia.

"Sec. 14. That the owner or owners of any building or part of building condemned under the provisions of this act may, within the time specified in the order of condemnation, institute proceedings in the Supreme Court of the District of Columbia, sitting as a district court, for the modification or vacation of the order of condemnation aforesaid, and the court shall give precedence to any such case, and is authorized to issue such orders and decrees as may be necessary to carry into effect the said order of condemnation as made by the Board or as modified by the court in accordance with the verdict returned as hereinafter directed. The court shall appoint a jury consisting of three disinterested persons, one of whom shall be an architect, the second a physician or a health officer, and the third either a structural engineer or a competent builder, each of whom shall have the qualifications of jurors in the District of Columbia, and who, after taking the oath required of jurors in the trial of civil causes, shall proceed under the direction of the court to inspect the premises and to hear and receive evidence respecting the sanitary condition, state of repair, and state of depreciation of such building or part of building aforesaid, the present reproduction value thereof, the fitness and suitability of such building or part of building for occupancy, and the cost to place said building or part of building in a proper and lawful condition for occupancy. In such proceedings the owner or owners of the building or part of building condemned shall be considered the plaintiff and the Board shall be considered the defendant. After inspecting the premises and hearing and considering all of the testimony as hereinbefore provided, the said jury shall return to the court its verdict on a prepared form which shall contain the following questions to be answered by them:

"1. Condition of the building or part of buildings:

"(a) As to sanitation; and

"(b) As to state of repair.

"2. Can the building or part of building condemned be repaired and placed in a proper and lawful condition for occupancy and made to comply with all laws and regulations in force in the District of Columbia relating to buildings without exceeding 50

percent of the present reproduction cost of such building or part of building?

"3. Is the building or part of building subject to condemnation?"
 "1. If the jury shall find that the building or part of building sought to be condemned should not be condemned or ordered to be repaired, they shall so report to the court, who shall enter a decree directing the vacation of the order of the Board.

"2. If the jury shall find that the building or part of building is subject to condemnation and cannot be repaired and put in a safe, sanitary, and usable condition and made to comply with all laws and regulations in force and effect in the District of Columbia relating to buildings therein, they shall so report to the court, who shall enter a decree directing compliance by the plaintiff with the order of the Board.

"3. If the jury shall find that the building or part of building can be repaired and put in a safe, sanitary, and usable condition and made to comply with all laws and regulations in force and effect in the District of Columbia relating to buildings, they shall so report to the court, who shall enter an order directing the plaintiff within a reasonable time to cause the said building or part of building to be put in a safe, sanitary, and usable condition and made to comply with all the laws and regulations relative to buildings in the District of Columbia; and in the event of the failure or neglect of the plaintiff to cause the repairs or alterations necessary to be made to comply with the order of the court and the provisions of this act, the Board shall inform the court of such fact and the court shall thereupon enter an order requiring the removal of the said building or part of building. Unless cause be shown to the court within 10 days from the filing of said verdict of removal why the same should not be confirmed, the court shall ratify and confirm the same and cause judgment thereon to be entered accordingly, all the costs of the proceeding to follow the judgment. The Commissioners of the District of Columbia, or their duly authorized agents, shall proceed with the removal of the building or parts of building, as ordered by the court, and the cost of removing the building or part of building, including the cost of making good such damage to adjoining premises as may have resulted in such removal, and the cost of publication, if any may be necessary, authorized by section 10 of this act, shall be assessed against the real estate upon which said building or part of building stood, should the owner, at his expense, fail to remove the same within such time as may be fixed by the court in the order confirming the verdict of said jury.

"Each member of the jury appointed by the court as aforesaid shall receive for each day's attendance the sum of \$8, to be included as part of the cost of the proceedings.

"Sec. 15. Except as herein otherwise authorized all expenses incident to the enforcement of this act shall be paid from appropriations made from time to time for that purpose in like manner as other appropriations for the expenses of the District of Columbia."

Mrs. NORTON. Mr. Speaker, there seems to be no objection to this bill, and I therefore move the previous question.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion by Mrs. NORTON to reconsider the vote whereby the bill was passed was laid on the table.

REMOVAL OF DANGEROUS BUILDINGS

Mrs. NORTON. Mr. Speaker, I call up the bill S. 403, to amend the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes", and to further amend said act by adding at the end thereof new sections numbered 5 and 6.

The bill is as follows:

Be it enacted, etc., That the act of March 1, 1899, is hereby amended to read as follows:

"That if in the District of Columbia any building or part of a building, staging, or other structure, or anything attached to or connected with any building or other structure or excavation, shall, from any cause, be reported unsafe, the inspector of buildings shall examine such structure or excavation, and if, in his opinion, the same be unsafe, he shall immediately notify the owner, agent, or other persons having an interest in said structure or excavation, to cause the same to be made safe and secure, or that the same be removed, as may be necessary. The person or persons so notified shall be allowed until 12 o'clock noon of the day following the service of such notice in which to commence the securing or removal of the same; and he or they shall employ sufficient labor to remove or secure the said building or excavation as expeditiously as can be done: *Provided, however,* That in a case where the public safety requires immediate action the inspector of buildings may enter upon the premises, with such workmen and assistants as may be necessary, and cause the said unsafe structure or excavation to be shored up, taken down, or otherwise secured without delay, and a proper fence or boarding to be put up for the protection of passers-by.

"Sec. 2. That when the public safety does not, in the judgment of the inspector of buildings, demand immediate action, if the owner, agent, or other party interested in said unsafe structure or excavation, having been notified, shall refuse or neglect to comply with the requirements of said notice within the time specified, then a careful survey of the premises shall be made by three disinterested persons, 1 to be appointed by the Commissioners of the District of Columbia, 1 by the owner or other person interested, and the third to be chosen by these 2, and the report of said survey shall be reduced to writing, and a copy served upon the owner or other interested party; and if said owner or other interested party refuse or neglect to appoint a member of said board of survey within the time specified in said notice, then the survey shall be made by the inspector of buildings and the person chosen by the Commissioners, and in case of disagreement they shall choose a third person, and the determination of a majority of the three so chosen shall be final.

"Sec. 3. That whenever the report of any such survey shall declare the structure or excavation to be unsafe, or shall state that structural repairs should be made in order to place the said structure or excavation in a fit condition for further occupancy or use, and the owner or other interested person shall for 10 days neglect or refuse to cause such structure or excavation to be taken down or otherwise to be made safe, the inspector of buildings shall proceed to make such structure or excavation safe or remove the same. After the expiration of the 10 days in which the owner or other interested person is given to make the structure or excavation safe, or to be taken down or removed, the owner or other interested person, having failed to comply with the provision of the report of the board of survey, shall not enter, or cause to be entered, the premises for the purpose of making the repairs ordered, or razing the building, as the case may be; or in any other way to interfere with the authorized agents of the District of Columbia in making the said structure or excavation safe, or in removing same, without first having obtained the written consent of the Commissioners of the District of Columbia or their duly authorized representatives. The inspector of buildings shall report the cost and expense of said work to the Commissioners of the said District, who shall assess the amount thereof upon the lot or ground whereon such structure or excavation stands, or stood, or was dug, and unless the said assessment is paid within 90 days from the service of notice thereof on the agent or owner of such property, the same shall bear interest at the rate of 10 percent per annum from the date of such assessment until paid, and shall be collected as general taxes are collected in said District; but said assessment shall be without prejudice to the right which the owner may have to recover from any lessee or other person liable for repairs.

"Sec. 4. That the existence on any lot or parcel of land in the District of Columbia, of any uncovered well, cistern, dangerous hole, excavation, or of any abandoned vehicles of any description or parts thereof, miscellaneous materials or debris of any kind, including substances that have accumulated as the result of repairs to yards or any building operations, insofar as they affect the public health, comfort, safety, and welfare, is hereby declared a nuisance dangerous to life and limb, and any person, corporation, partnership, syndicate, or company owning a lot or parcel of land in said District on which such a nuisance exists who shall neglect or refuse to abate the same to the satisfaction of the Commissioners of the District of Columbia, after 5 days' notice from them to do so, shall, on conviction in the police court be punished by a fine of not exceeding \$50 for each and every day said person, corporation, partnership, or syndicate fails to comply with such notice. In case the owner of, or agent or other party interested in, any lot or parcel of land in the District of Columbia, on which there exists an open well, cistern, dangerous hole or excavation, or any abandoned or unused vehicles or parts thereof, or miscellaneous accumulation of material or debris which affects public safety, health, comfort, and welfare, shall fail, after notice aforesaid, to abate said nuisance within 1 week after the expiration of such notice, the said Commissioners may cause the lot or parcel of land on which the nuisance exists to be secured by fences or otherwise enclosed, and the removal of any abandoned vehicles, parts thereof, or miscellaneous accumulation of material or debris adversely affecting the public safety, health, comfort, and welfare, and the cost and expense thereof shall be assessed by said Commissioners as a tax against the property on which such nuisance exists, and the tax so assessed shall bear interest at the rate of 10 percent per annum until paid, and be carried on the regular tax rolls of the District of Columbia and shall be collected in the manner provided for the collection of general taxes.

"Sec. 5. That for the purposes of this act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left at the usual residence or place of business of the person to be notified, with a person of suitable age and discretion then resident therein; or (b) if no such residence or place of business can be found in said District by reasonable search, if left with any person of suitable age and discretion employed therein at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities; or (d) if no address be known or can by reasonable diligence be ascertained, or if any notice for-

warded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided; or (f) in case any owner be a nonresident of the District of Columbia, then after public notice by said Commissioners given at least twice a week for 1 week in one newspaper published in the District of Columbia, by advertisement, describing the property, specifying the nuisance to be abated. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the place of business of such agent in the District of Columbia. Every notice aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

"Sec. 6. That all acts and parts of acts inconsistent with this act, be, and the same are hereby, repealed."

The Clerk began the reading of the bill.

Mrs. NORTON. Mr. Speaker, there being no objection to this bill, I ask unanimous consent that the further reading of the bill be dispensed with.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Reserving the right to object, I think we are entitled to some explanation of the bill.

Mrs. NORTON. I shall be glad to explain it.

The existing law on this subject is contained in the act of March 1, 1899. The amendments hereby proposed are relatively minor in character. They are:

First, to increase the scope of the bill to include excavations. The present law covers dangerous buildings, stagings, or other structures. Obviously an excavation may be equally dangerous and should be subjected to the same treatment.

Some difficulty has arisen because under the present law a conflict sometimes arises between the representatives of the owner and the representatives of the District as to who should repair or remove the property. Under the present law after the building has been duly declared to be unsafe and the owner for 3 days refuses to cause the structure to be made safe the District is empowered to proceed. It happens that the owner later decides to proceed, and contractors representing him and the District both appeared to do the work. The amendment proposed is that after the expiration of the 10 days in which the owner may act the District shall have exclusive authority to make the repairs or to raze the building and the owner shall not interfere with the authorized agents of the District.

Mr. NICHOLS. Mr. Speaker, I would like to say in explanation of the bill that it simply does this: Heretofore the law of the District has not permitted the District to levy taxes against property for the removal of a nuisance. In other words, as the law now exists if a person or corporation or anybody else has done anything which is a nuisance they let it go. Then the District must come in to remedy it, and there is no provision under the District law whereby it can assess the expense of removing the nuisance against the property itself. This law simply fixes it so that the District can levy against the property the cost of the removal of the nuisance.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

ACQUISITION OF LAND IN THE DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I call up the bill S. 404, to provide for the acquisition of land in the District of Columbia in excess of that required for public projects and improvements, and for other purposes. This bill is on the Union Calendar, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote the orderly and proper development of the seat of government of the United States, the Commissioners of the District of Columbia, or agencies of the United States authorized by law to acquire real estate, be, and they are hereby, authorized and empowered to acquire, in the public interest, by gift, dedication, exchange, purchase, or condemnation, fee simple title to land, or rights in or on land or easements or restrictions therein, within said District, for public uses, works, and improvements authorized by Congress, in excess of that actually needed for and essential to the usefulness of such public uses, works, and improvements, in order to preserve the view, appearance, light, and air and to enhance the usefulness of such public works and improvements to prevent the use of private property adjacent to such public works and improvements in such a manner as to impair the public benefit derived from the construction thereof, or to prevent inequities or hardship to the owners of adjacent private property by depriving them of the beneficial use of their property.

Sec. 2. The Commissioners of the District of Columbia or agencies of the United States authorized by law to acquire real estate are further authorized, upon completion of public improvements, to subdivide, and sell at public or private sale, or exchange, any such excess land, and to carry out such purpose or purposes, to convey any lands acquired in excess of that actually needed and which is not essential to the usefulness of such public works, with such reservations concerning the future use and occupation of such real estate as may in their discretion be necessary to protect such public improvements; and any and all moneys received from any sale or transfer of land in accordance with the provisions of this act shall be covered into the Treasury of the United States, and where the property sold was acquired under an appropriation authorized for the use of the District of Columbia, any and all moneys received from such sale shall be deposited in the Treasury to the credit of the revenues of the District of Columbia: *Provided*, That whenever the authorities of the United States or the District of Columbia having jurisdiction over such acquired land, or rights or easements, shall elect to retain any or all of the same for use of the United States or the District of Columbia, the said authorities are authorized to use said land, rights, or easements for park, playground, highway, or alley purposes, or for any other lawful purpose which the said authorities shall deem advantageous or in the public interest.

Sec. 3. That whenever land is purchased, as provided in this act, in excess of that needed in connection with a particular project or improvement, any and all appropriations available for the payment of the purchase price, costs, and expenses incident to such project or improvement are hereby authorized for use in the payment of the purchase price, costs, and expenses of any and all excess land purchased in connection with such project or improvement, as provided in this act.

Sec. 4. That whenever excess land is condemned by the Commissioners of the District of Columbia, in accordance with the provisions of this act, the condemnation proceedings for the acquisition of such land shall be in accordance with chapter 15, subchapter 1 of chapter 15, and/or sections 1608 to 1610, inclusive, of the Code of Laws for the District of Columbia: *Provided*, That any and all appropriations available for the payment of awards, damages, and costs in condemnation proceedings under chapter 15 of the Code of Laws for the District of Columbia are hereby authorized for use in the payment of awards, damages, and costs in any and all condemnation proceedings under said chapter 15 for the acquisition of excess land, as provided in this act: *Provided further*, That any and all appropriations available for the payment of awards, damages, and costs in condemnation proceedings under subchapter 1 of chapter 15 and/or sections 1608 to 1610, inclusive, of the Code of Laws for the District of Columbia are hereby authorized for use in the payment of awards, damages, and costs in any and all condemnation proceedings under said subchapter 1 of chapter 15 and/or said sections 1608 to 1610, inclusive, for the acquisition of excess land, as provided in this act: *And provided further*, That in any and all cases where such excess land is condemned, no assessments for benefits shall be levied by the jury in respect to the acquisition of said excess land.

Sec. 5. That whenever excess land is condemned by agencies of the United States, other than the Commissioners of the District of Columbia, as provided in this act, the condemnation proceedings for the acquisition of such land shall be in accordance with an act approved March 1, 1929, as amended, or any law or laws in effect at the time of such condemnation for the acquisition of land in the District of Columbia for use of the United States.

Provided, That any and all appropriations available for the condemnation of land under said act approved March 1, 1929, as amended, are hereby authorized for use in the payments of awards, damages, and costs in any and all condemnation proceedings under said act, as amended, for the acquisition of excess land, as provided in this act.

SEC. 6. That the portion of the act approved February 25, 1907, entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to establish a Code of Laws for the District of Columbia', regulating proceedings for condemnation of land for streets'" (34 Stat. 930; ch. 1195, sec. 491g), reading: "And where part of any lot, piece, parcel, or tract of land has been dedicated for the opening, extension, widening, or straightening of the street, avenue, road, or highway, the jury in determining whether the remainder of said lot, piece, parcel, or tract is to be assessed for benefits, and the amount of benefits, if any, to be assessed thereon, shall also take into consideration the fact of such dedication and the value of the land so dedicated" is hereby repealed.

SEC. 7. With the exception of section 6, none of the provisions of this act shall be construed as repealing any provisions of existing law pertaining to the condemnation or acquisition of streets, alleys, or land, or the law or laws relating to the subdividing of lands in the District of Columbia.

SEC. 8. If any provision of this act is held invalid, the remainder of the act shall not be affected thereby.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentlewoman from New Jersey please give us some explanation of the necessity for this bill?

Mrs. NORTON. Mr. Speaker, the purpose of the proposed legislation is to authorize the Commissioners of the District of Columbia, or its agents, to acquire in the public interest by gift, dedication, exchange, purchase, or condemnation fee simple title to land in excess of that actually needed for public uses and improvements. It authorizes these agencies, upon completion of public improvements, to subdivide such excess land and place upon it such reservations concerning its future use and occupation as may be necessary to protect such public improvements, and to sell or exchange this excess land or retain the same for the United States or the District of Columbia for park, playground, or other purposes which may be advantageous or in the public interest.

Mr. NICHOLS. Mr. Speaker, the District now has the usual laws providing for condemnation for public purposes; but very often you find that when you condemn a strip of land for a street there is a little sliver of land between that needed and, say, a filling station, and there is no law which provides for condemnation in excess of the land actually required for the purpose for which it was condemned. This is to fix it so that you can condemn property adjacent to the project and then, if it is not needed for the use of the project, to dispose of it. It is the ordinary excess condemnation procedure that we have in nearly every State and jurisdiction.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 3, line 4, after the word "Columbia", insert: "*Provided*, That in the event of sale as herein authorized, notice of not less than 20 days before such sale shall be published in a daily newspaper published in the District of Columbia, and notice by registered mail before such sale be mailed to the last known address of the persons listed on the records of the assessor of the District of Columbia as the owners of the land abutting the land to be sold, at not less than the fair market value at the time sold as determined by appraisement of the assessor of the District of Columbia."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 11, after the word "sold", insert the words "and sold."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

Mrs. NORTON. Mr. Speaker, that concludes the business for the District of Columbia today.

CLAIMANTS WHO SUFFERED LOSS FROM FIRES SET BY GOVERNMENT-OPERATED RAILROADS IN MINNESOTA IN 1918

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record in connection with H. R. 3662.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I trust that in the near future the Members of the House will have the opportunity to correct a wrong done to many citizens of this Republic by bureaucratic governmental officials. I refer to the claims of several thousand people who suffered loss in Minnesota on October 12, 1918, when fires set by Government-operated railroads swept over northeastern Minnesota, resulting in damage amounting to millions of dollars. These claims are nonpolitical. Identical bills have been introduced by Congressman RYAN, Congressman KVALE, and myself. The Committee on Claims has reported favorably, upon my motion, to recommend the passage of the Ryan bill, H. R. 3662. The committee report is no. 255 and sets forth the essential facts connected with this bill. The committee report is short. I recommend that you read it.

Following the October 12, 1918, fire, thousands of lawsuits were brought against the United States Railroad Administration, which had denied liability for the damage. Some years of litigation followed. Test cases were tried. The Railroad Administration refused any compromise, telling the fire claimants that if the Government won in the courts it would not pay one cent in damages; that if the claimants won the Government would pay one hundred cents on the dollar for damage caused by the fires. The Government lost in the courts. Then the Government officials broke their word and refused to pay one hundred cents on the dollar. Then ensued a long period of haggling and negotiations, in which leading citizens of Minnesota begged the governmental bureaucrats to pay the destitute fire claimants something so they could rehabilitate themselves. On account of the expense involved and the congestion in the courts, it was impossible for individual claimants to try their cases. Then the Director General arbitrarily decided on what he would pay. I quote his testimony before the committee in 1930:

Mr. PITTENGER. When you had these conferences with the attorneys, it was put up to those people that they had to take what the Railroad Administration offered to give or go to court and try the cases individually. Is not that a fact?

Mr. DAVIS. I told these gentlemen, not only by letter but by word of mouth, that this offer was final, and they could take it or leave it.

Following these one-sided compromises, investigators of the Government checked up each individual case and determined the amount of loss in the settlement areas. Bear in mind that the Government made settlements only in areas where the Director General conceded that they could trace fires from the Government-operated railroads. Take a typical case: If the loss was determined at \$2,000 by the Government, the claimant was compelled to accept 50 percent thereof. But before making settlement he had to execute a release, sign a stipulation for judgment, and after judgment sign a satisfaction of judgment. The Ryan bill, H. R. 3662, provides for the payment of the balance of the loss determined by the Government. A similar bill passed the Senate in the last session of Congress but failed of passage in the House because many House Members were misled by last-minute rumors and misleading claims that the bill was bad and a steal on the Treasury, and a lobbyist bill, and a bill for the benefit of attorneys, and so forth. All of the old tricks to create prejudice were pulled out of the bag. Now, the facts are that the only lobbyists for this

claim of the fire sufferers have been the Minnesota Congressmen and the Congressmen from other States who have investigated this case and found it to be worthy. There were numerous attorneys of record for the fire claimants in the litigation. The bill protects every claimant against unjust attorney fees by providing for a 10-percent limitation thereon. If the bill passes the claimants will naturally require the services of attorneys, and that is entirely proper. The fire claimants are now scattered all over the United States; some of them live in California, some in Oregon, some in Oklahoma, and so forth.

I have no personal or financial interest in this bill. I resided in Duluth on October 12, 1918, and did not suffer the loss of a single dollar in the great holocaust, which burned up people, towns, and farms, and property. I know what took place, following this great tragedy, when homeless men and women and children were cared for by the Red Cross and other agencies until funds could be raised to help them build tar-paper shacks, one-room affairs, where their homes once stood, until they could try as best they could to rehabilitate themselves. I felt then, as I feel now, that this great Government followed a mean and a mistaken policy toward its destitute and homeless citizens.

I have never heard a satisfactory answer to the question why this damage was not treated as a war loss, and compensated for at the rate of 100 cents on the dollar. Such procedure was followed, I am told, in the Eastern States, where any damage resulted because of the war-time activities of the Government. Take for example, the powder explosion and fire at Morgan, N. J., in October 1918. The cause of the explosion was never determined. The property loss was heavy. The Government paid the loss in full.

Now, the Government was operating the railroads in 1918 as a war-time measure. The country was at war. Labor was scarce. Fourteen-year-old boys were working on the railroads, and they were not properly manned or operated. Otherwise fires would never have been started in a dry season along the rights-of-way of the railroads in a country where the forests had been cut and brush and dead timber was left on the land so that all it needed was to have the match applied.

I want the Members of the House to know that this bill involves some 8,000 individual claims and may require as a maximum something like \$12,000,000 to pay these claims. The actual amount will probably not exceed \$9,000,000. I have never felt, however, that the merit of a measure was to be determined by the number of the claimants or the amount involved. All I ask from my colleagues is a fair consideration of the facts.

If you will refer to Report No. 255, you will find that the Attorney General of the United States, as well as the President, have said that this measure is meritorious.

PRIVATE CALENDAR

Mr. MARTIN of Massachusetts. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. When we consider the Private Calendar on tomorrow, which rules will be in effect, the old rules or the one recently adopted?

The SPEAKER. The rule adopted on yesterday.

THE RIGHT TO LIVE

The SPEAKER. Under the special rule, the gentleman from Pennsylvania [Mr. MORITZ] is recognized for 10 minutes.

Mr. MORITZ. Mr. Speaker, at this time I rise to speak on taxation. At the present time, it seems to me, we are asking for billions of dollars and we are requesting people in business to pay taxes, not knowing how they are getting along. Just as you cannot hold the reins of a horse and tell him to "get up", just as you cannot put both feet on the brakes of an automobile and turn on the gas, likewise you cannot expect business to revive and go on while taxing it to

the full extent. We wonder why business does not revive. It cannot revive if everything that business has is taxed.

I want to call the attention of the House to a source of taxation which, if used, would help business a great deal and at the same time we would be able to get revenue for our country; that is, the economic rental of strategic points in big municipalities, where landlords take all of the revenue, frequently leave the country, and we hold the bag.

Last week in the Committee on Education Dr. Dawson, who is familiar with the economic conditions of every State, especially the southern States, said that in States like Mississippi and Arkansas they have taxed every conceivable thing. They have squeezed the orange to the full extent. Those States cannot continue with their schools. It seems to me if the Members of Congress would set their minds to thinking a little we could get revenue from a source that would not hurt business and at the same time would help our own country. Dr. Dawson is an authority on taxation in almost every State. I asked him what he thought of this method of collecting economic rent. He said: "I am with you." Dr. Kinsman, a professor and author in American University in the city of Washington, has three chapters in his textbook which is used by the students of the high schools in Pittsburgh, in which he states very plainly that we ought to tap for taxation the sources in those great municipalities made valuable by the presence of many people.

I have introduced a bill to that effect, and it is for that reason that I call the attention of the Members of the House to thinking along that line.

The fundamental rights of man, as so well stated in that immortal document, the Declaration of Independence, are the rights to life, to liberty, and to the pursuit of happiness. It is to be noted that the right to live, being first mentioned, is regarded as paramount. Yet under present conditions in the United States millions of people are denied the right to live except upon the charity of Government.

All around us are the bounties of nature. Science and invention have aided man to harness the forces of coal and oil, of water and electricity, to such an extent that it may almost be said that man has conquered nature. In ancient days man sometimes suffered temporarily from the niggardliness of nature in his own vicinity; but we, by annihilating space with the steamboat, the iron horse, and the motor vehicle, and airplane, are able to overcome the local vagaries of the seasons. In spite of this tremendous advance in the art and science of production, starvation stares millions of our citizens in the face even while they plead for opportunities to work to earn a scanty living. Was there ever such a stark denial of our boasted progress—such a travesty on civilization? The situation challenges every last one of us to find a solution.

Before we can solve the problem we must first analyze it. At the dawn of civilization, then, there were two factors in production. Natural resources and human labor. For convenience, in these remarks I shall use the term "land" as referring to all natural resources, and the term "labor" as meaning all conscious, voluntary effort of human beings.

In simple production labor applied itself directly to land to collect or to produce food. And since science teaches us through the theory of the conservation of matter and the conservation of energy that nothing material has been or can be added to the universe, we are convinced that labor and land are all there are in the world today. True, by means of tools, machinery, and structures we are able to make labor more efficient in its application to land; but those tools, machines, and structures are themselves the product of labor applied to land, requiring constant replacement for effective use. Even money itself, which seems so important a factor in our daily transaction, is only a convenient means of exchange between those, for instance, who produce wheat and those who produce houses.

Now, if it be admitted that man is dependent upon land for his very existence, it follows that the right to live requires that he shall have continuous access to land—that he shall

have opportunity to apply himself to that land so essential to his continued existence. But when, by social policies, we allow some members of society to appropriate to themselves the value of land, by that very act we withdraw from other members of society the opportunity to apply their own labor to land except at the will and sufferance of the first-mentioned class.

Of course, it must be admitted that in the present state of society it is essential that each individual be assured continuous undisturbed possession of a particular section of land for the conduct of his activities. How can we reconcile, then, the fundamental right of man to live, requiring virtually free access to land, with the equally important necessity of undisturbed possession?

Economic rent arises from variations in the amount of goods returned for the expenditure of equal effort on different portions of the earth's surface. If I have an acre of wheat land from which, by a certain expenditure of effort, I may gain a crop of 15 bushels, while someone else has an acre from which, by the same effort, he can produce 30 bushels, the economic rent of the latter acre as compared with the former is 15 bushels of wheat. On the communal or industrial basis, if I have an acre of land in a wilderness, its value for business will be nil, while an acre of land in the heart of New York City may be worth in economic rent a million and a half dollars a year. These variations are not due to the act of any individual. The agricultural type is due to variations in natural fertility; the communal or industrial type is due to the state of community or industrial activity. The economic rent of extractive natural resources, such as coal, oil, and other minerals, depends upon the stage of progress reached in productive enterprise.

When, by law, we allow individuals to appropriate to themselves economic rent, and there is expectation of a continuance of that arrangement, each individual seeks to hold as much land as possible, not for immediate use, but in the expectation of future unearned advantage to be derived. In the United States so much of the area, both urban, suburban, and rural, is thus speculatively held as to bring about the appearance of actual shortage. In cities people are crowded into small tenements and dwellings; in agricultural sections people are forced to use submarginal land. It is stated that in this city of Washington there are 5,000 acres, exclusive of streets and parks, upon which there are no buildings, coincident with the acres and acres of slums almost within stone's throw of the Capitol, and coincident with excessive rents and shortage of convenient housing even for Members of this body. The recent national resources survey discloses upward of 75,000,000 acres of farm land now in use which should be retired as submarginal.

It is almost axiomatic to state that no given parcel of land ever has reached its ultimate capacity to produce, either agriculturally, industrially, or communally, so it is idle to say that we have reached a point where there is insufficient land for the needs of all mankind. There is the appearance of shortage, due to withholding of land from use, based on our faulty economic system.

As men congregate into communities it has been found convenient to carry on certain undertakings as community enterprises. We call those community undertakings the functions of government and support those persons engaged therein by taxes imposed upon the balance of the community. We say, in common terms, that we tax things—land, buildings, horses, automobiles, dogs, incomes, and inheritances. But no one ever heard of a tax being paid by a house or a gallon of gasoline. People pay taxes out of their current production of things, and we use the production, the distribution, and the ownership of things as a measure of the individual's contribution toward community expenses.

These things which we use as the measures of contribution fall into two broad classes—natural resources, which I previously have termed for convenience as "land", and labor products—things which are within the volition of the individual to produce or to refuse to produce; to distribute or to refuse to distribute; to own or to refuse to own.

When a man is faced with the necessity of paying a tax on the second class of things he either restricts himself in the production, distribution, or ownership of them or he seeks to recoup himself for the amount paid as tax by a higher charge to someone else. The latter course in itself serves to restrict production, distribution, or ownership. In a word, a tax imposed on an individual on this basis causes high prices and restricted use of useful things.

When a man is faced with the necessity of paying a tax on the first class land, he seeks to do the same as in the other case but with a different result. Since all economists agree that economic rent is always as high as the existing state of community development or natural fertility will warrant, the landlord, no matter how hard he tries, cannot increase his collection of economic rent to cover the tax. Therefore he must pay the tax from his present collection; and this, through natural economic law, forces down the selling price of land without affecting its use value. If the tax on economic rent were placed at 100 percent, the selling price of land would be zero, although it still would be as valuable for use as it ever was. And if land had no selling price everyone would be able to get all the land he needed for use but no one would seek to retain land for which he had no use. Title to land would be safeguarded as now, but it would be title for use instead of title for speculation.

In a word, then, I advocate the abolition of all taxes on labor products, and the collection of economic rent to pay public expenses. But with this reservation: That such a drastic economic change must be made gradually, lest the correct remedy, through too strong doses, be worse than the disease.

As I stated on this floor on a previous occasion, my own city of Pittsburgh commenced in 1913 an advance in this direction. Each 3 years—until 1925—we reduced the taxes on all buildings by 10 percent, while continuing to impose full 100 percent taxes on land values. Now, in Pittsburgh, we tax buildings just half as much in proportion to value as we do land. The result has been that absentee landlords, some even living in England, who contribute nothing to the business of Pittsburgh, have had to pay higher taxes than they did before, while small home owners, living and working there, are paying less taxes. People in Pittsburgh are satisfied with this system and hope for its extension. And all that makes it possible for everyone more easily to exercise his right to live.

To carry this principle into effect in the Nation, I have prepared and introduced H. R. 6026, to promote the general welfare of the citizens of the United States through the imposition of an excise charge upon the privilege of the use and enjoyment of large landholdings based upon their unimproved value. This bill proposes the imposition of an annual excise charge of 1 percent of the value of all landholdings in excess of \$3,000 to one holder, the value of land being that remaining after exemption of all man-made improvements by way of buildings, walls, drains, foundations, and standing timber. The same excise charge is imposed upon all natural resources in the form of mineral and oil deposits and water power, with exemption of the structures necessary to facilitate use, as well as upon the franchises of all types of public utilities.

At some time in the future I shall hope to address the House as to the amount which may be expected to be derived as revenue from the imposition of this excise charge. At present I am able to give only a rather vague estimate of from half a billion to a billion dollars annually. My friend, Otto Cullman, of Chicago, who has given much study to this question in his recent book, *\$20,000,000 Every Day*, a copy of which I think most of my colleagues have in their offices, estimates the total amount of economic rent above present taxes thereon to be about \$8,000,000,000 annually. This gives a total of untaxed land value amounting to approximately \$160,000,000,000; and if only half of this amount were found to exist in tracts of \$3,000 or over, the 1-percent excise charge would reach the very substantial sum of \$800,000,000 annually.

Whatever the amount might prove to be in actual fact, the additional revenue to be derived therefrom would be advantageous in the present situation of an unbalanced Budget and in the face of crying demands for old-age pensions and other worthy governmental undertakings. Moreover, the imposition of this excise charge would obviate the necessity of continuing certain excise taxes of the nuisance type, including taxes on gasoline and lubrication oils, furs, jewelry, matches, and the like.

While a certain measure of administrative difficulty would attend the operation of this proposed law at its inception, the values which are to be the object of the imposition of the excise charge are relatively easy of ascertainment. For the most part they are the same values which serve as the basis for local tax assessments. And after the initial procedure the assessment and collection of the excise charge would be far simpler and far more equitable and certain in operation than ever will be the case with income or other taxes.

But above all, the proposal is sound economically, in that it proposes to take for community expenses those values which the community creates by its very existence; and to the extent to which it is applied, it will tend to safeguard and promote in practice what in theory is the foundation of our splendid heritage—the right of every American citizen to live. [Applause.]

EXHIBIT A

The land holdings of Pittsburgh
(Described in terms of percentage)

	Land value	Building value	Total value
Group 1 (comprising land holdings from \$2,000,000 to more than \$38,000,000 in value) includes 22 land owners ¹ who own.....	\$135,202,350	\$65,728,460	\$200,930,810
Group 2 (comprising land holdings from \$1,000,000 to less than \$2,000,000) includes 25 landowners ¹ who own.....	35,639,390	21,882,210	57,521,600
Group 3 (comprising land holdings from \$500,000 to less than \$1,000,000) includes 58 landowners ¹ who own.....	46,071,820	31,092,840	77,164,660
Group 4 (comprising land holdings from \$50,000 to less than \$500,000) includes 796 landowners ¹ who own.....	111,566,820	64,786,060	176,352,880
901 landowners ¹ own.....	328,480,380	183,489,570	511,969,950

EXHIBIT B

Total taxable land values of Pittsburgh.....	\$562,365,560
Population of Pittsburgh.....	669,817
Estimated number of owners, approximately 24 percent of the population.....	161,700
Number of landless or nonlandowning population, approximately 75 percent of the population.....	508,117

EXHIBIT C

Of the 161,700 landowners ¹ who own Pittsburgh, 22 (see exhibit A, group 1) own approximately 24 percent of the total taxable land value of Pittsburgh.....	\$135,202,350
47 landowners ¹ (see exhibit A, groups 1 and 2) own approximately 30 percent of the total taxable land value of Pittsburgh.....	170,841,740
105 landowners ¹ (see exhibit A, groups 1, 2, and 3) own approximately 39 percent of the total taxable land value of Pittsburgh.....	216,913,560
901 landowners ¹ (see exhibit A, groups 1, 2, 3, and 4), which represent approximately 0.0055 percent of the landowners and 0.00134 percent of the total population, own approximately 58 percent of the total taxable land value of Pittsburgh.....	328,480,380

NOTE 1.—There is some serious thought of "relieving" real-estate owners by removing the school levy from real estate. Should the general assembly be fatuous enough to follow this rash suggestion, 901 real-estate owners would escape the annual payment of school taxes amounting to \$5,759,662.

NOTE 2.—If the 5-to-1 plan of taxation were enacted into law, these same 901 largest landowners would be forced to contribute \$1,773,794 in additional taxes on their landholdings. Incidentally, the small home owners would be relieved of their tax burden to this extent.

NOTE 3.—A study of the landholdings of Pittsburgh proves beyond a doubt that the incidence of the graded tax system has tended to break up the large estates. It is safe to say that 20 years ago 500 landowners owned half land values of Pittsburgh.

¹ The term "landowner" embraces corporations, companies, families, and individuals.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KVALE, for March 27 and 28, on account of illness.

To Mr. KNUTE HILL, for the balance of the week, on account of unavoidable absence.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 935. An act to authorize the Secretary of War and the Secretary of the Navy to lend Army and Navy equipment for use at the national jamboree of the Boy Scouts of America.

ADJOURNMENT

Mrs. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 8 minutes p. m.) the House adjourned until tomorrow, Friday, March 29, 1935, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

284. Under clause 2 of rule XXIV a letter from the Architect of the Capitol, transmitting annual report for the fiscal year ended June 30, 1934, was taken from the Speaker's table and referred to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 4900. A bill to amend the naturalization laws in respect of residence requirements, and for other purposes; without amendment (Rept. No. 516). Referred to the House Calendar.

Mr. DEMPSEY: Committee on the Public Lands. H. R. 4541. A bill to extend the provisions of section 2 of the act of February 28, 1925, authorizing reservations of timber, minerals, or easements to exchanges of lands in the State of New Mexico, under the act of February 14, 1923, and the act of February 7, 1929; without amendment (Rept. No. 520). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 4707. A bill validating certain applications for and entries of public lands, and for other purposes; without amendment (Rept. No. 521). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 6465. A bill to accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Ark., and for other purposes; without amendment (Rept. No. 522). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BEITER: Committee on War Claims. H. R. 3075. A bill conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.; without amendment (Rept. No. 515). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 2554. A bill for the retirement of William J. Stannard, leader of the United States Army Band; without amendment (Rept. No. 517). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 401. A bill for the relief of James T. Moore; without amendment (Rept. No. 518). Referred to the Committee of the Whole House.

Mr. MOTT: Committee on the Public Lands. H. R. 1880. A bill for the relief of Ivan H. McCormack; without amendment (Rept. No. 519). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2523) for the relief of Walter C. Blake; Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 2589) granting a pension to Clarence J. Ericson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GREEN: A bill (H. R. 7079) to authorize the prompt deportation of habitual criminals and habitual aliens, to guard against the separation from their families of certain law-abiding aliens, to deport direct-action Communists, to further restrict immigration into the United States, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CELLER: A bill (H. R. 7080) to amend administrative provisions of the Federal liquor-taxing laws, and for other purposes; to the Committee on Ways and Means.

By Mr. LUCKEY: A bill (H. R. 7081) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. STACK: A bill (H. R. 7082) to transfer into the classified civil service all the veterans of any war employed by the Government in unclassified positions, who have been honorably discharged from the military or naval service of the United States; to the Committee on the Civil Service.

By Mr. GREENWOOD: A bill (H. R. 7083) to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Texas: A bill (H. R. 7084) to amend the Grain Futures Act to prevent and remove obstructions and burdens upon interstate commerce in grains and other commodities by regulating transactions therein on commodity-futures exchanges, to limit or abolish short selling, to curb manipulation, and for other purposes; to the Committee on Agriculture.

By Mr. PETERSON of Florida: A bill (H. R. 7085) to provide for the creation of a memorial park at Tampa, in the State of Florida, to be known as "The Spanish War Memorial Park", and for other purposes; to the Committee on the Public Lands.

By Mr. WALLGREN: A bill (H. R. 7086) to establish the Mount Olympus National Park, in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of Texas: A bill (H. R. 7087) granting relief to American civilian employees of the Navy stationed in the Philippine Islands; to the Committee on Naval Affairs.

By Mr. JONES: A bill (H. R. 7088) to amend the Agricultural Adjustment Act, and for other purposes; to the Committee on Agriculture.

By Mr. MOTT: A bill (H. R. 7089) to authorize the Secretary of War to furnish bronze markers for certain graves; to the Committee on Military Affairs.

By Mr. DOCKWEILER: Resolution (H. Res. 175) to provide for the appointment of a special committee to investigate the Ethyl Gasoline Corporation; to the Committee on Rules.

By Mr. McLEOD: Joint resolution (H. J. Res. 231) requesting the President of the United States to invite all

State Governors to a conference for the purpose of formulation and adoption of a Nation-wide program to reduce excessive costs of State governments and their local subsidiaries by reorganization of local governmental systems and elimination of all obsolete and unnecessary offices and functions; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Pennsylvania, regarding antilynching legislation; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 7090) for the relief of Leonard Gramstad; to the Committee on World War Veterans' Legislation.

By Mr. DARDEN: A bill (H. R. 7091) for the relief of Charles L. Kee; to the Committee on Claims.

By Mr. DORSEY: A bill (H. R. 7092) for the relief of Capt. Percy Wright Foote, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 7093) for the relief of Joseph M. Clagett, Sr.; to the Committee on Claims.

By Mr. DUNN of Pennsylvania: A bill (H. R. 7094) to authorize payment of claim for unauthorized emergency treatment of John J. Jenkins, a World War veteran; to the Committee on World War Veterans' Legislation.

By Mr. FLETCHER: A bill (H. R. 7095) for the relief of Henry P. Kinney; to the Committee on Military Affairs.

By Mr. GRANFIELD: A bill (H. R. 7096) granting a pension to Neal Ferry; to the Committee on Pensions.

Also, a bill (H. R. 7097) for the relief of Joseph Noel; to the Committee on Claims.

Also, a bill (H. R. 7098) for the relief of Thomas W. Dolan; to the Committee on Pensions.

By Mr. KENNEDY of New York: A bill (H. R. 7099) for the relief of Rocco D'Amato; to the Committee on Claims.

By Mr. LARRABEE: A bill (H. R. 7100) for the relief of Fred Dobson; to the Committee on Naval Affairs.

Also, a bill (H. R. 7101) granting a pension to Arthur E. Brown; to the Committee on Pensions.

By Mr. LEWIS of Colorado: A bill (H. R. 7102) for the relief of Herbert McCosh DeWitt; to the Committee on Claims.

Also, a bill (H. R. 7103) granting an increase of pension to James J. Potvin; to the Committee on Pensions.

Also, a bill (H. R. 7104) for the relief of H. L. Caffee; to the Committee on Military Affairs.

Also, a bill (H. R. 7105) to provide for the retirement of Lindell D. Straube as a first lieutenant Dental Corps, United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 7106) granting a pension to Mary M. Livingston; to the Committee on Pensions.

Also, a bill (H. R. 7107) for the relief of Guiry Bros. Wall Paper & Paint Co.; to the Committee on Claims.

Also, a bill (H. R. 7108) granting a pension to Frances Haws; to the Committee on Pensions.

Also, a bill (H. R. 7109) granting a pension to Lottie Pinneo; to the Committee on Invalid Pensions.

By Mr. MAAS: A bill (H. R. 7110) to authorize the President to bestow the Congressional Medal of Honor upon Brig. Gen. Robert H. Dunlap, United States Marine Corps, deceased; to the Committee on Naval Affairs.

By Mr. MARSHALL: A bill (H. R. 7111) granting a pension to Esta May McArthur; to the Committee on Pensions.

By Mr. PEARSON: A bill (H. R. 7112) granting a pension to Mary E. Burns; to the Committee on Invalid Pensions.

By Mr. PETERSON of Florida: A bill (H. R. 7113) granting a pension to Olivia Stebbins; to the Committee on Invalid Pensions.

By Mr. SANDERS of Louisiana: A bill (H. R. 7114) for the relief of Preston Herndon; to the Committee on Naval Affairs.

Also, a bill (H. R. 7115) for the relief of Lucien Gautreau; to the Committee on Claims.

By Mr. SHANLEY: A bill (H. R. 7116) for the relief of George Malcolm Williams; to the Committee on Naval Affairs.

Also, a bill (H. R. 7117) for the relief of Bertha A. Bishop; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 7118) granting an increase of pension to Eliza P. Cook; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 7119) granting an increase of pension to Martha McGraw; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5708. By Mr. BERLIN: Petition of the Pennsylvania Grade Crude Oil Association, by its board of directors, to permit the gasoline and lubricating-oil taxes to expire on June 30, 1935, as contemplated under existing law; to the Committee on Ways and Means.

5709. By Mr. COLE of Maryland: Resolution passed by the State Senate of Maryland; to the Committee on Interstate and Foreign Commerce.

5710. By Mr. GOLDSBOROUGH: Resolution of the Senate of the Maryland Legislature, requesting that the Congress of the United States cause an investigation into the activities of the American Society of Composers, Authors, and Publishers of New York and its subsidiaries; to the Committee on Interstate and Foreign Commerce.

5711. By Mr. HIGGINS of Massachusetts: Resolution of the Mission Hill (Boston) College Club, calling for the removal of Ambassador Daniels as envoy to Mexico; to the Committee on Foreign Affairs.

5712. By Mr. MALONEY: Resolution of the board of directors of the New Orleans Association of Commerce, requesting that our Senators and Congressmen be advised that it is our desire that House bill 3262 be supported in the interest of our city and port, for, if enacted into law, the power to see that all rates shall be reasonable, nondiscriminating, or preferential will still be with the Interstate Commerce Commission, and its power to suspend rates proposed in any railroad tariff would remain unchanged and ample for the public protection; to the Committee on Interstate and Foreign Commerce.

5713. By Mr. MAPES: Petition of 36 residents of Grand Rapids, Kent County, Mich., recommending the repeal of the Wheeler-Howard Act, and protesting against the continuance in office of the present Commissioner of Indian Affairs; to the Committee on Indian Affairs.

5714. By Mr. MILLARD: Petition of Mary Martin and Martha Boss, White Plains, N. Y., requesting Congress to pass a uniform Federal old-age-pension law; to the Committee on Ways and Means.

5715. By Mr. MURDOCK: Resolution of the Utah Automobile Dealers Association, opposing the reenactment of the Federal gasoline tax; to the Committee on Ways and Means.

5716. By Mr. ROGERS of Oklahoma: Petition headed by B. J. Harrison, of Orrville, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5717. Also, petition headed by C. R. Wood, of Forbus, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5718. Also, petition headed by M. Whealor, of Montgomery, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5719. Also, petition headed by Henry Stinson, of Atlanta, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5720. Also, petition headed by I. T. Adams, of England, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5721. Also, petition headed by J. A. Alderdice, of Lynnvill, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5722. Also, petition headed by I. Gaines, of Etta, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5723. Also, petition headed by J. T. Basham, of Memphis, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5724. Also, petition headed by John Grant, of Ada, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5725. Also, petition headed by John Kimbrow, of Columbia, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5726. Also, petition headed by John Walton, of Mellwood, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5727. Also, petition headed by C. Rossner, of Chicago, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5728. Also, petition headed by B. Jackson, of Herndon, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5729. Also, petition headed by J. A. Ridgeway, of Guntersville, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5730. Also, petition headed by L. M. Diamond, of Pensacola, Fla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5731. Also, petition headed by Harry Peterson, of Fairfield, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5732. Also, petition headed by G. A. Wilkinson, of Manifest, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5733. Also, petition headed by H. P. Potter, of Bronson, Fla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5734. Also, petition headed by J. O. T. Worthington, of Silver Creek, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5735. Also, petition headed by John Jackson, of Buena Vista, Ark., favoring House bill 2856, by Congressman WILL

ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5736. Also, petition headed by Bill Williams, of Charleston, Mo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5737. Also, petition headed by J. A. Lauderdale, of Langdale, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of \$30 to \$50 a month; to the Committee on Ways and Means.

5738. By Mr. RUDD: Petition of O. W. Thomas & Co., New York City, concerning the continuation of the National Recovery Administration, as recommended by the President of the United States; to the Committee on Appropriations.

5739. By Mr. SADOWSKI: Petition of the Detroit Federation of Post Office Clerks, condemning the curtailment of the Postal Service in Detroit and making for an increase in the regular personnel; to the Committee on the Post Office and Post Roads.

5740. Also, petition of the Metropolitan Post, No. 185, of the American Legion, Detroit, Mich., asking Congress to appropriate sufficient money to build a veterans' hospital in the Detroit area; to the Committee on World War Veterans' Legislation.

5741. By Mr. TRUAX: Petition of Dayton Regional Typothetae Association, Dayton, Ohio, by Frank R. Somers, favoring the continuance of the National Recovery Administration, and that the price-stabilization features of the Graphic Arts Code be retained and that sufficient authority be given the industry in order to secure compliance; to the Committee on Labor.

5742. Also, petition of the Painters Union, No. 867, Cleveland, Ohio, by their secretary, Henry W. Koch, urging support of Patman bill; to the Committee on Ways and Means.

5743. Also, petition of the Townsend Old-Age Revolving Pension Club of Findlay, Ohio, by their president, A. E. Knisley, urging support of the Townsend plan, as it is imperative that the younger people find employment and thus put an end in a large measure to our present unemployment situation, and that the active and wide-spread buying and selling to result from the operation of the Townsend bill will help banish poverty and bring back prosperity to our country in general; to the Committee on Ways and Means.

5744. Also, petition of the Pomona Grange, No. 66, Preble County, Eaton, Ohio, by Gleta Geeding, requesting that the farmers be included in any old-age security law which shall be hereafter enacted, as the administration committee on old-age security has reported that farmers, occasional workers, and domestics shall be ineligible for old-age security; to the Committee on Ways and Means.

5745. Also, petition of the Dayton Regional Typothetae Association, by their regional manager, Frank R. Somers, opposing the 30-hour week, as the printing industry requires skilled craftsmen and at the present time there is a shortage of skilled help in the industry, and the mandatory adoption of a 30-hour week would work undue hardship; to the Committee on Labor.

5746. By the SPEAKER: Petition of the Woodrow Wilson Democratic Ex-Service Men's Club, Camden, N. J.; to the Committee on Ways and Means.

5747. Also, petition of the city of Jacksonville, Ill.; to the Committee on Banking and Currency.